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NUCLEAR REGULATORY COMMISSION

Title: Public Scoping Meeting for the Environmental Impact Statement for Holtec International's Hi-store Consolidated Interim Storage Facility for Spent Nuclear Fuel Located in Lea County, New Mexico

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC SCOPING MEETING FOR THE ENVIRONMENTAL IMPACT
STATEMENT FOR HOLTEC INTERNATIONAL'S HI-STORE
CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT
NUCLEAR FUEL LOCATED IN LEA COUNTY, NEW MEXICO

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TUESDAY,

MAY 1, 2018

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HOBBS, NEW MEXICO

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The Public Scoping Meeting was convened in
the Commissioners' Hearing Room at the Lea County
Event Center, 5101 N. Lovington Highway, at 7:00 p.m.,
Chip Cameron, facilitating.

NRC STAFF PRESENT:

CHIP CAMERON, Facilitator

BRIAN SMITH, Deputy Director, Division of Fuel Cycle
Safety, Safeguards, and Environmental Review,
Office of Nuclear Material Safety and
Safeguards (NMSS)

JILL CAVERLY, Environmental Review Project Manager,

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Environmental Review Branch, NMSS
JOSE CUADRADO, Licensing and Safety Review Project
Manager, Spent Fuel Licensing Branch, NMSS
JOHN McKIRGAN, Chief, Spent Fuel Licensing Branch,
NMSS
CINTHYA ROMAN, Chief, Environmental Review Branch,
NMSS

C-O-N-T-E-N-T-S

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P R O C E E D I N G S

6:51 p.m.

1
2
3 MR. CAMERON: Good evening, everyone.
4 Welcome to the public meeting tonight. My name is
5 Chip Cameron, and it's my pleasure to serve as your
6 facilitator tonight, and in that role, I'm going to
7 try to help all of you to have a productive meeting
8 tonight.

9 And this is the second public meeting that
10 we're doing in southeastern New Mexico. We were in
11 Roswell last night. And the topic of the meeting is
12 the Nuclear Regulatory Commission, and we're going to
13 use NRC. We're going to try to keep the acronyms
14 down, but you will hear NRC.

15 Tonight's meeting is going to focus on the
16 NRC's review of the license application that we
17 received from the Holtec International Company to
18 construct and operate a spent fuel storage facility in
19 Lea County, New Mexico. And the focus, specific
20 focus, of the meeting tonight is something called
21 scoping.

22 And scoping is a term that's used under
23 the National Environmental Policy Act. Another
24 acronym you're going to hear is NEPA. And the
25 National Environmental Policy Act requires federal

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1 agencies to prepare an Environmental Impact Statement
2 on what are called major federal actions.

3 This is a major federal action under the
4 NRC regulations. So they're preparing a draft, an
5 Environmental Impact Statement, okay, to help guide
6 the NRC's decisionmaking on whether to grant the
7 license to Holtec International.

8 Part of the preparation of an
9 Environmental Impact Statement is the agency does
10 scoping. And it's a simple concept, really. It's
11 what should be considered, what should be evaluated in
12 the Environmental Impact Statement, and what doesn't
13 need to be evaluated. In other words, what's the
14 scope of the Environmental Impact Statement.

15 And that's why the NRC staff, they're all
16 here at the table, and I'll introduce them in a
17 minute, they're here to hear your advice and
18 recommendations on what should in the scope of the
19 Environmental Impact Statement. And we have two
20 objectives tonight. And one of them, the first one is
21 to have the NRC clearly explain what its license
22 review process is, and particularly the environmental
23 review.

24 You're going to find out that the NRC
25 review of the license application has two major

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1 components. One is the safety component, does it meet
2 the NRC's safety regulations. The other component is
3 an environmental review, the preparation of the EIS.
4 So first objective, clearly explain the review process
5 to you.

6 Second objective, give the NRC staff an
7 opportunity to hear from all of you on your concerns,
8 your recommendations in regard to the review. And
9 those objectives guide the major segments of the
10 agenda tonight. First of all, we're going to start in
11 a few minutes with presentations from the NRC staff,
12 then we're going to go to the second segment of the
13 meeting, which is to hear comments from all of you.

14 And we'll have a few minutes after the
15 first segment, in other words, the NRC presentations,
16 to see if you have any clarifying questions on the
17 review process. Then we're going to go to comment,
18 and that probably will happen about 7:45 or maybe a
19 little bit earlier than that.

20 Your comments tonight are going to be on-
21 the-record comments. Matthew McMullen is our court
22 reporter, our stenographer tonight, and he will be
23 capturing your comments. And those comments will be,
24 that transcript of the comments is going to be made
25 publicly available, and it'll probably be on the NRC

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1 website in two to three weeks. And the NRC staff is
2 going to tell you how you tune into the website for
3 those particular projects.

4 If you haven't signed up, if you want to
5 speak and you haven't signed up, filled out a blue
6 card, my colleague in the back, Miriam Juckett, back
7 there, she has a blue card. Just signal Miriam if you
8 want to sign up to speak, and we'll put you on the
9 list tonight.

10 Now, I'm asking everybody to follow a
11 five-minute guideline for speaking. And to try to be
12 crisp, we have a lot of speakers tonight, I'll give
13 you a gentle reminder at the four-minute mark to sum
14 up for us. And I apologize in advance for if I have
15 to ask you to stop speaking, because I know that you
16 spent time preparing your comments.

17 Now, fortunately, you can amplify on
18 anything you say tonight, and if you hadn't said
19 anything, you can send your comments in in written
20 form to the NRC. Comments tonight, oral comments,
21 have the same weight as written comments. And the NRC
22 staff is going to tell you how you will submit written
23 comments tonight.

24 One other thing that is important is that
25 the NRC staff is here to listen carefully to your

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1 comments tonight, and to listen to any questions that
2 you might have when you come up to give a comment.
3 But they're not going to be responding to those.
4 They're going to be listening, and then they will
5 carefully evaluate your comments and questions when
6 they prepare the draft Environmental Impact Statement.

7 That statement is also subject to a public
8 process like this, written comments, public meetings.
9 But the NRC also prepares what's called a scoping
10 report where they describe the comments that come in,
11 and that's also going to be publicly available to you.

12 We always know that there's a lot of
13 interest in people talking, the public talking to the
14 license applicant. And this is an NRC meeting, but we
15 do have representatives from Holtec International
16 here, Joy Russell is right here, and her colleagues.
17 They're going to be, you probably spoke to them before
18 we came in here. But they'll be here after the
19 meeting to answer any questions that you might have.

20 In terms of the NRC presentations, we're
21 going to start with Cinthya Roman. And Cinthya is the
22 Chief of the Environmental Review Branch in the NRC's
23 Division of Fuel Cycle Safeguards and Environmental
24 Review. So that's where the Environmental Review is
25 going to take place, in Cinthya's branch.

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1 And the Project Manager, the main person
2 for the NRC who's going to be taking care of preparing
3 the Environmental Review, is Jill Caverly, right here.
4 And Jill's going to tell you all about that.

5 And we have our senior official here
6 tonight, NRC manager Brian Smith, and he's the Deputy
7 Director of the division that I just mentioned. That
8 division is in an office at the NRC, Rockville,
9 Maryland, Nuclear Material Safety and Safeguards.

10 Okay, so that's the division. I mentioned
11 that there's also a safety review. Because there is
12 information that the public might give that has
13 implications for the safety review, not just the
14 environmental review, we ask our safety people to come
15 with us. And the Branch Chief, John McKirgan, is
16 here. And the Project Manager on the safety review is
17 Jose Cuadrado. So they're here to listen carefully to
18 you also.

19 One other important person, we have a
20 senior Public Affairs staffer with us, and that's Dave
21 McIntyre, right over there. And we also have staff
22 from the Office of Congressional Affairs, and Angel is
23 back there.

24 So I want to introduce, before we start,
25 and we're going to go right to presentations, we do

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1 have Caleb Garcia right here. And Caleb is with
2 Senator Tom Udall's staff, and the Senator asked him
3 to be here to listen to all your comments. So we
4 thank the Senator for sending you, Caleb.

5 And with that, I think we're ready to go
6 to Cinthya, and Cinthya's going to start out with some
7 notes in Spanish for any Spanish speakers here, and
8 then she'll go into her presentation. Then Jill, and
9 then Brian.

10 MS. ROMAN: (Foreign language spoken.)

11 So as Chip mentioned, the staff in my
12 branch is going to be doing the environmental review
13 for the Holtec license application. So our main goal
14 today is to hear from you, and I am going to be very
15 brief for that reason.

16 First, I want to give you a very quick
17 overview of what NRC does, and our role in regulating
18 the Holtec project. Our agency is charged by federal
19 law to be the nation's only regulator of commercial
20 nuclear materials, independently ensuring these
21 materials are used, handled, and stored safely and
22 securely.

23 Our mission is to protect the public
24 health and safety, promote the common defense and
25 security, and protect the environment by regulating

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1 the civilian use of radioactive materials. To
2 accomplish our mission, we carefully review each
3 license application we receive before making a
4 decision on whether or not to grant an applicant's
5 request.

6 The NRC regulates the operation of 99
7 nuclear power reactors that generate about 20% of the
8 energy in the United States. We also regulate
9 civilian use of nuclear materials, research reactors
10 at universities, transportation of nuclear materials,
11 and their storage and disposal.

12 NRC strives to be open and transparent in
13 its review, and therefore stakeholders have many
14 opportunities to provide comments. Today is an
15 opportunity to participate in the, like the scoping
16 thing. Next slide.

17 As an independent regulator, NRC
18 determines whether it is safe to build and operate a
19 storage facility at the proposed site. NRC does not
20 promote or build a nuclear facility. Again, our
21 mission and regulations are designed to protect both
22 the public, workers, and the environment.

23 Holtec is applying for a license to store
24 waste. They are not asking NRC permission to
25 reprocess or generate more waste. We do not select

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1 the location of the storage facility, we just evaluate
2 the impacts of building that facility at the location
3 proposed by the licensee.

4 As we will explain later in this
5 presentation, there is also the environmental review
6 will be documented in an Environmental Impact
7 Statement, which is a public statement. The analysis,
8 along with other factors, will form the basis for the
9 staff decision to issue a license or not.

10 Now, Jill Caverly will provide some
11 additional details about the Holtec project and the
12 environmental review process. Thank you.

13 MS. CAVERLY: Thanks, Cinthya. Hi, I'm
14 Jill Caverly. Can you hear? Is that working? Is
15 that working? So good evening, I'm Jill Caverly, and
16 I'm going to be the Environmental Project Manager for
17 this review. I was going to mention, I'm assisted by
18 Stacey Imboden, who you might have met out in the
19 lobby this evening.

20 So the next few slides will be specific to
21 the Holtec storage facility application and review.
22 Holtec has applied for a license to construct and
23 operate the storage facility under 10 CFR Part 72, the
24 NRC's regulations for governing storage of spent
25 nuclear fuel and reactor-related, greater than Class

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1 C waste.

2 If granted, Holtec would receive 40-year
3 license to construct and operate the consolidated
4 interim storage facility. The current application
5 before the NRC requests construction and operation of
6 only the first phase of up to 20 planned phases. In
7 this current application, Holtec is requesting storage
8 of up to 500 canisters of spent nuclear fuel.

9 This spent fuel would come from shut down
10 and operating nuclear power plants from around the
11 country. Holtec anticipates applying for up to 20
12 phases of construction and operation of 500 canisters
13 of spent nuclear fuel each, for a total of 10,000
14 canisters of spent fuel storage.

15 However, these additional phases would
16 require separate applications from Holtec, and would
17 be subject to their own safety and environmental
18 reviews. The Environmental Report provides
19 information on the full build-out of the site for
20 10,000 canisters. Next slide, please.

21 This slide shows the approximate location
22 of the proposed consolidated interim storage facility
23 in New Mexico. The facility would be located
24 approximately halfway between the cities of Carlsbad
25 and Hobbs in Lea County. Next slide.

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1 Holtec plans to use the HI-STORM UMAX
2 system for storage of the spent fuel. HI-STORM UMAX
3 stands for Holtec International storage module
4 underground maximum capacity, and is an NRC-certified
5 design, which means we have evaluated it and
6 determined that it meets NRC regulations and can
7 safely store spent fuel.

8 The system is a dry, in-ground, spent fuel
9 storage system. Each of these modules holds one
10 canister of spent fuel, and Holtec has applied for
11 storage of 500 canisters of spent fuel. The
12 canisters' transfer facilities would be below ground.
13 This is a low profile design, and is seen in this
14 conceptual drawing from the Holtec application.

15 This flow chart provides an overview of
16 the license application review process, which can be
17 described generally as a three-parallel-phrase
18 process. After the application is submitted, the NRC
19 conducts an acceptance review to determine if the
20 application has sufficient information to begin a
21 detailed technical review. If so, NRC docket the
22 application, and this begins the safety and
23 environmental review paths.

24 From a safety standpoint, we work through
25 a separate safety review to decide if the license

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1 should be issued. The result of this phase of the
2 review is a safety evaluation report. This is
3 graphically represented on the left column of the flow
4 chart with the steps in orange. As we mentioned, Jose
5 Cuadrado and John McKirgan will be coordinating the
6 safety review.

7 The environmental review, as seen in the
8 middle column, resulted in an Environmental Impact
9 Statement, or EIS. And this describes the impact on
10 the environment from the proposed project. On the
11 righthand side, you'll see the adjudicatory hearings.
12 The blue box on the figure refers to the opportunity
13 for the public to request a hearing on the
14 application.

15 These hearings would be held if a petition
16 to intervene is granted. The results of these three
17 processes, a hearing if granted, the results of the
18 environmental review documented in the EIS, and the
19 safety review, documented in a safety evaluation
20 report, will factor into NRC's final decision whether
21 or not to grant the license to Holtec for the storage
22 facility.

23 It's important to note that the focus of
24 this meeting is the environmental review process.
25 This flow diagram outlines the environmental review

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1 process, or the middle column of the previous slide.
2 Opportunities for public involvement are highlighted
3 in light blue. As you can see, after the staff
4 receive the application, it's reviewed to ensure it is
5 complete and technically adequate.

6 If acceptable, the application is docketed
7 and we proceed with both the environmental and safety
8 reviews. The NRC starts the environmental review by
9 publishing a notice of intent to inform the public of
10 our plan to prepare an EIS and conduct the scoping
11 process. The light blue box on the right side
12 identifies our current scoping process, of which this
13 meeting is included.

14 The purpose of this phase is to gather
15 more information to use to help us prepare an EIS.
16 Comments gathered from this meeting, as well as many
17 other information collections, will be independently
18 evaluated for impacts of this particular project on
19 the environment.

20 We will document your comments today in
21 the meeting transcript, and the public can review
22 those written comments, and the transcripts will be
23 provided on our website.

24 We analyze the information gathered,
25 develop a draft EIS, and issue it for public comment.

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1 At that time, we will again invite the public's
2 comment on the draft EIS, or the lower left blue box.
3 At that time, the staff will schedule a meeting to
4 hear comments on the draft EIS, and we will evaluate
5 those comments and consider modifying the draft EIS
6 before issuing it final.

7 The final EIS and the results of the
8 safety review, the safety evaluation report,
9 contribute to NRC's final decision on the application.

10 So a little bit more about environmental
11 review. Our review is based on the environmental, the
12 National Environmental Policy Act, or NEPA, which
13 requires federal agencies to apply a systematic
14 approach to evaluate the impacts of its actions. For
15 major federal actions, NEPA requires agencies to
16 document their evaluation in the EIS, and NRC will
17 prepare this in accordance with those regulations and
18 guidance.

19 Next slide. Here is a graphical
20 representation of the types and sources of information
21 that NRC gathers when preparing an EIS. We will
22 conduct a site visit, we'll meet with local and state
23 officials and other federal agencies as well as
24 tribes.

25 We are currently gathering information for

1 scoping to help us determine which issues should be
2 considered in our review. We expect to request
3 additional information from Holtec following the
4 completion of these activities.

5 NRC will gather information on a wide
6 range of topics related to environmental issues. This
7 slide shows many of the resource areas we will
8 consider in our Environmental Impact Statement. The
9 NRC typically includes the following resource areas
10 listed here.

11 This slide is a high-level timeline for
12 our anticipated environmental review. The stepwise
13 approach meets our responsibilities under NEPA. We
14 started our review with a notice of intent to conduct
15 scoping and prepare an EIS. This started the 60-day
16 scoping period. This public meeting is part of our
17 scoping process, and we will continue to gather and
18 analyze information related to the review and develop
19 the EIS.

20 We tentatively expect to publish the draft
21 EIS in June 2019. And that point, we'll publish a
22 notice of availability, which will start at least a
23 45-day comment period. Those comments will be
24 addressed and analyzed, and the EIS adjusted if
25 necessary. We tentatively expect to issue the final

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1 EIS in mid-2020.

2 The scoping process is intended to
3 determine the scope of the EIS and identify
4 significant issues to be analyzed in depth. It's also
5 intended to identify and eliminate issues that are not
6 significant.

7 Thirdly, it's intended to identify other
8 environmental reviews and consultation requirements
9 related to the proposed action. So in other words, we
10 want to hear from you, because you live in the local
11 area and may bring issues to our attention that we may
12 not be aware of.

13 The NRC is requesting information and
14 input specific to this proposed facility regarding
15 what should be included or excluded from the scope of
16 the EIS.

17 Some examples of information that the NRC
18 are requesting are, are there local projects that are
19 being planned or developed nearby? Have you
20 identified wildlife or habitat that should be
21 considered? Are there cultural resources that should
22 be considered in the evaluation? Are there particular
23 populations nearby that should be considered? Are
24 there unique characteristics of the project site or
25 local communities that NRC should consider in its

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1 evaluation?

2 These are the ways that you can submit
3 comments on the scope of the EIS. You may present the
4 comments orally here today, or also in writing. You
5 may submit comments through the regulations.gov
6 website, and you can do that by searching for Docket
7 ID NRC-2018-0052, and submit your comments there. You
8 may also mail your comments to the address on this
9 slide. And remember that all comments should be
10 received by May 29.

11 For additional information on this
12 application and the review, you can go to the federal
13 rulemaking website or the NRC's public document room,
14 and the NRC's project-specific website for the Holtec
15 application. Additionally, the local libraries in
16 Hobbs, Carlsbad, and Roswell have agreed to hold a
17 copy of the Environmental Report for public review.

18 If you want to be on our mailing list or
19 email list, please make sure that your name and
20 address were provided to one of the NRC staff at the
21 registration table. This is one way to ensure that
22 you will be notified of upcoming meetings and issuance
23 of draft and final EISs.

24 At the bottom of the slide are the NRC
25 points of contact, Jose and myself. And please

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1 remember that if you would like to provide additional
2 comments, to do so by May 29. I'm going to turn it
3 over to Brian.

4 MR. SMITH: Good evening, welcome, and
5 thank you for taking the time to attend our public
6 meeting tonight. We look forward to hearing your
7 comments. As Chip mentioned, my division, the
8 Division of Fuel Cycle Safety, Safeguards, and
9 Environmental Review has a responsibility for
10 conducting this environmental review and preparing the
11 Environmental Impact Statement.

12 This is a responsibility that we take very
13 seriously. The NRC's job is to protect the public
14 safety and the environment by thoroughly reviewing
15 each license application we receive before deciding
16 whether or not to grant an applicant's request. We
17 understand that in the audience tonight there are
18 those that may oppose Holtec's license application, as
19 well as those who may support it.

20 I want to assure you that we want to hear
21 from both sides this evening. However, I want to
22 remind you that the purpose of this meeting is to
23 gather comments for the scoping of our EIS. We want
24 to know what important information and issues we need
25 to consider and analyze in our EIS.

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1 We treat all the comments the same,
2 whether a comment was made by one person or 100
3 people. We give each comment we receive the same
4 careful consideration during the preparation of our
5 EIS.

6 We will consider all of the oral and
7 written comments we receive here tonight, as well as
8 those we receive via letter, email, or through the
9 federal rulemaking website, regulations.gov. The EIS,
10 combined with the NRC's safety and security review of
11 Holtec's license application request, will result in
12 an NRC licensing decision to either approve the
13 license request or disapprove it.

14 And now to maximize the amount of time for
15 public comments, I'll turn it back over to Chip.

16 MR. CAMERON: Okay, thank you, Cinthya and
17 Joe and Brian. As I mentioned at the beginning, we do
18 have a few minutes for any questions, to make sure
19 that you understand the review process, and I wondered
20 if -- we have a question. And could you just please
21 tell us your name, sir.

22 MR. REMPER: I'm Albert Remper, and I'll
23 repeat my question from last night. Would you please
24 post on your website the attendance lists, because you
25 know who every one of us is, but we don't know who we

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1 are. So please be transparent in the same direction,
2 you know, back to us so that people who are for it can
3 talk among themselves, people who are against it, and
4 we can have a real conversation.

5 And the second point, I think maybe as far
6 as the process is concerned, I have the impression you
7 are putting the cart before the horse. Would you
8 please put, give us a very clear definition of who is
9 the owner and who has the title to the spent fuel
10 right now? Who will have it during transportation?
11 And who will have it when it is at the interim storage
12 site?

13 It's my understanding that we are in a
14 totally gray zone there legally.

15 MR. CAMERON: And I think that's a, I
16 think it's a question that we might want to answer
17 when we prepare the scoping report. If you want to
18 give some information now on that, John, go ahead.
19 But it gets us into a whole lot of stuff.

20 MR. McKIRGAN: So my name's John McKirgan,
21 I'm Chief of the Spent Fuel Licensing Branch. Just by
22 way of information, I would like to offer that some of
23 that is discussed in the application that's submitted
24 by Holtec. I think you can see their discussion of a
25 title --

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1 Let's try that one last time. So some of
2 that information is available in the application. The
3 NRC staff will be evaluating that as we conduct our
4 review. So with that, I'll ask Chip if we can move on
5 to another process question.

6 MR. CAMERON: Yeah, let's do that. We
7 noted the gentleman's two points, and we'll take care
8 of that. Anybody? Yes, ma'am, and just please tell
9 us your name, if you would.

10 MS. UNDERWOOD: Sandra Underwood. I just
11 had a question about the draft EIS. You said that
12 that would be released probably June of next year.
13 I'm just wondering how that information is given to
14 the community. How are we to be made aware that is
15 ready and we've entered that 45-day comment period?

16 MR. CAMERON: Good question. Why don't
17 you use this?

18 MS. ROMAN: Once the draft EIS is
19 available, we will issue a Federal Register Notice
20 announcing that it's available. Can you hear me now?
21 Is it better? Okay. Once the draft EIS is available,
22 we will issue a Federal Register Notice letting people
23 know that it's available for public review and
24 comments. We will also come again here to talk to the
25 people about our findings and receive comments.

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1 MR. CAMERON: One other point on that for
2 you is that the NRC usually puts a copy of the draft
3 EIS in the public libraries in any of the communities
4 around here. So it will be available in that form
5 also. Does that answer your question?

6 MS. UNDERWOOD: I was just mainly
7 wondering how I would know. Like, I use Audible, I
8 don't go to the library. So you know, how would I
9 receive that notice that the period has begun?

10 MR. CAMERON: Cinthya?

11 MS. ROMAN: You can also register to our
12 listserve. You can give us your email, and you will
13 receive information about the progress of our review.
14 And we will also issue a press release letting people
15 know. So we will try to find other ways to let people
16 know that this is available.

17 MR. CAMERON: Good question, thank you for
18 asking that. Susybelle, you want to ask a question?
19 All right, excuse me, I'm coming in here. And we need
20 to get everybody on the microphone, even though some
21 of the microphones don't work, but this one does. So
22 that the stenographer can hear.

23 MS. LEVINE: Yes, my name is Carol Levine,
24 and you said that some of the information that was
25 requested would be in the application. Where do we

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1 find the Holtec application to look those things up,
2 please?

3 MR. CAMERON: Okay.

4 MR. CUADRADO: Thank you for your
5 question. The application, there's multiple ways of
6 accessing the application. As the, our colleagues
7 Cinthya and Chip mentioned, copies of the
8 Environmental Report, we have sent copies to public
9 libraries here so that people can actually access
10 that.

11 I know that Holtec has also sent copies of
12 the entire application, not just the Environmental
13 Report, to local libraries as well. So you can, if
14 you want to see that information there, that
15 information is also publicly available in the NRC's
16 agency-wide document management system.

17 We have made links available to that
18 application in the NRC Holtec-specific website, which
19 is the fourth bullet right there in the slide. If you
20 go there, what you'll see is all the information that
21 the NRC has received from Holtec that is publicly
22 available. You can access it there, download it, you
23 know, read through it.

24 And this includes not just the
25 application, it also includes the Environmental

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1 Report, also information about public meetings,
2 meeting summaries, meeting notices, when these
3 meetings will happen. We strive to keep this website
4 updated as often as possible so that you can have that
5 information available to you at all times.

6 MR. CAMERON: Okay, and Jill.

7 MS. CAVERLY: I was just going to add, if
8 you picked up this brochure at the front desk, right
9 here, the first underlined blue weblink is the Holtec
10 website that we're maintaining. And if you click on
11 that, you can see most of the application materials
12 and meeting notices and so forth.

13 MR. CAMERON: Okay, thank you. We're
14 going to take two more questions, then we're going to
15 go to public comment. And I believe this is
16 Susybelle.

17 MS. GOSSLEE: Thank you. I'm Susybelle
18 Gosslee. And in the interest of a democratic society,
19 you all had collected everyone's email address. Is it
20 possible that you could email everyone here in a mass
21 kind of email the location once the EIS is available?
22 Thank you.

23 MR. CAMERON: Okay. Thank you, Susybelle.
24 The NRC staff will contemplate that. And we have a
25 question right here. Go ahead sir.

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1 MR. BURNAM: Sure, good evening, my name
2 is Lon Burnam and my process question is regarding the
3 timing of these public meetings. I understand that
4 over 30 legislators in New Mexico asked for a delay,
5 in part because there's some question as to whether or
6 not NRC actually has the legislative authority to
7 acknowledge or accept or process this application,
8 that in fact that legislation is pending.

9 So why now as opposed to next fall or next
10 year, when it's actually a legal process?

11 MR. CAMERON: And I think the basic point
12 is there's been requests for, I guess, an extension of
13 the comment period and other things. And that's
14 something that the NRC management is still
15 contemplating, correct? John?

16 MR. McKIRGAN: So if I could, John
17 McKirgan again. You know, we have received requests
18 for extensions. We evaluate those and we try to be
19 responsive, but we also have commitments --

20 MR. CAMERON: Okay, can we possibly find
21 out if they can turn the volume up? Okay, let's go to
22 one last question, to you, sir. I would say talk to
23 them after the meeting. That's a substantive
24 question, we're not going to get into it, okay, at
25 this point. We're not going to be able to. We're not

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1 going to, story over. Go ahead.

2 MR. ALDA: How are you all doing, I'm Bob
3 Alda. Been a resident all along. One thing I was
4 wanting to kept in consideration in the area that
5 you're planning on building the facility is a real
6 heavy area of fracking in the oil field business, and
7 it's a very hot topic right now, the damages done by,
8 one way or the other, and it hasn't ever been decided.

9 And the fracking is done very close to
10 where your facilities could be built. And I thought
11 we've already had one failure from one facility that
12 we have here, and it's just something to keep in mind
13 when you do, when you come up on deciding this. Thank
14 you.

15 MR. CAMERON: Okay, so let's go to public
16 comment. And we apologize for the sound level. We
17 have a lot of people commenting tonight. More so than
18 I thought when I said we had a five-minute guideline.
19 So it's going to be between four and five minutes,
20 okay, so that we could get everybody one.

21 We're going to start with elected
22 officials, because we believe that you should know
23 what your elected officials think about this project.
24 And then we're going to go into the rest of the people
25 that signed up. And I'm going to go, I'm going to

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1 give a preview of three or four names, so that people
2 know when they're going to be called.

3 And we're going to start with Mayor Cobb,
4 who's the mayor of Hobbs. Then we're going to
5 Senator, State Senator Carroll Leavell. And then to
6 Senator Gay Kernan. So this is the Mayor. Thanks,
7 Mayor.

8 Is that working? That's not working
9 either.

10 MR. COBB: The Chairman of the County
11 Commission is over here. It will work next time, I
12 can promise you.

13 Thank you, good evening, members of the
14 NRC and the Southwest Research Institute, ladies and
15 gentlemen. Welcome to Lea County and Hobbs. My name
16 is Sam Cobb, I am currently serving in my second term
17 as Mayor of Hobbs. In addition, I have served as a
18 member of the energy, Eddy-Lea Energy Alliance, ELEA,
19 Board of Directors for a number of years during my
20 service as Mayor.

21 My first introduction into the nuclear
22 fuel cycle and the nuclear industry was as a Board
23 member of the Economic Development Corporation of the
24 county. This nonprofit public-private sector
25 organization was the lead entity on the GNET

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1 (phonetic) project and the successful siting of the
2 URENCO facility. I might add that the URENCO project
3 has had a tremendous positive impact on the economy of
4 our county.

5 In addition, the company and its employees
6 have and continue to make substantial positive impacts
7 on the quality of life in all of the communities that
8 make up Lea County. I believe that Holtec and its
9 employees have the same goals, if it's allowed to
10 become a member of our community.

11 Consolidated interim storage and the
12 Holtec design, in my opinion and in the opinion of
13 many experts in the nuclear field, provides several
14 key elements that must be considered in the licensing
15 process. The canisters must prove to be safe from a
16 wide variety of scenarios during transportation to the
17 interim storage site. The Holtec system provides
18 those safeguards.

19 The storage site itself should be away
20 from population centers in a stable geologic
21 environment. The ELEA site provides that.

22 The design of the facility should provide
23 for the storage canisters to be below ground to create
24 the least amount of potential exposure to the
25 canisters from any type of surface-related damage,

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1 whether it be natural or manmade. The Holtec
2 underground system provides those safeguards.

3 Consolidated interim storage should
4 provide for savings to the American taxpayer, as
5 opposed to the current systems in place. The Holtec
6 proposal provides that.

7 The communities that agree to be part of
8 the national solution to the storage of spent fuel
9 should be compensated for their willingness to do so.
10 The agreement between Holtec and ELEA provides for a
11 longterm revenue stream for those communities.

12 In closing, I would like to add for the
13 record that the Hobbs City Commission has supported
14 the ELEA Holtec project from its inception. Thank you
15 for coming to our community. I look forward to
16 further discussions as we move this nationally
17 important issue in the nuclear fuel cycle to a proper
18 solution.

19 MR. CAMERON: Thank you very much, Mayor.
20 And we're working on getting the microphones fixed.
21 It may be that they just need new batteries. And
22 let's see if this one works. And this is Senator
23 Leavell.

24 SENATOR LEAVELL: How's this? Again?
25 Good evening, everyone, I'm State Senator Carroll

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1 Leavell. My district includes the WIPP facility,
2 URENCO, and the proposed consolidated interim storage
3 facility which is the focus of tonight's scoping
4 comments.

5 Also my district includes south Hobbs,
6 Eunice, Jal, and covers the south part of Carlsbad,
7 Loving, Malaga, and south Eddy County. It's a very
8 large geographic area.

9 Through my 20 years in the Senate, I have
10 been very active with the opening of WIPP, with the
11 licensing and operation of URENCO. Both of these
12 projects have been great low cost projects for
13 southeastern New Mexico. We're very nationalistic
14 about both of these projects in that it is serving the
15 country enormously by the cleaning up of the complex.

16 And URENCO is providing enriched uranium
17 for our power plants, which before URENCO, almost all
18 of it was being imported from foreign countries.
19 These two projects have served to stabilize our
20 economy from the ups and downs of the extractive
21 industries, the oil and gas industry.

22 I have served on the Radioactive and
23 Hazardous Material Committee of the legislature since
24 entering the legislature in 1979. This committee is
25 charged with overseeing nuclear activities in the

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1 state. Since 2012, every year we have been updated by
2 the Eddy-LEA Alliance and watched the progress of the
3 project.

4 I have worked very closely with the
5 Alliance on this project and know that they have
6 vetted safety number one. It's first. I believe and
7 I agree that allying with Holtec is the very best
8 decision they could have made. Holtec is the only US-
9 based supplier of nuclear storage equipment to the
10 industry, and we think they are the best in the world
11 in what they do.

12 Since 2012, with the Blue Ribbon
13 Commissions, America's nuclear future again is
14 elevated to the dramatic need for consolidated interim
15 storage in this country. The Eddy-Lea Energy Alliance
16 realize that they have a piece of the isolated desert
17 property with very low seismic activity that would be
18 ideal for a consolidated interim storage facility.

19 It has been characterized through the GNET
20 proposal and had utilities close by. It has rail and
21 rail water and other utilities within five to ten
22 miles. I'll close with saying that in the 2016
23 session of the legislature, a memorial was passed in
24 each house by over 70% supporting Eddy-Lea
25 Holtec.

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1 We have a resolution of support from out
2 towns and counties, as well as a strong letter of
3 support from the Governor and the Secretary.

4 Mr. Chairman, the Holtec transportation
5 cask is virtually indestructible, and the rail system
6 is the least risky form of transportation. The
7 subservice system Holtec uses is safe, the best, and
8 most secure system in the world. With the delay in
9 reporting interim storage has come again, and I
10 strongly support this project. Thank you very much.

11 MR. CAMERON: Okay, thank you, Senator
12 Leavell. And before we ask Senator Gay Kernan to come
13 up, I just want to recognize that Representative Steve
14 Pearce also has a staff member here, Bernadette
15 Granger. There's Bernadette right there, and thank
16 you, thank the Representative for being here.

17 Let's go to Senator Kernan. And can you
18 put that up there and see if it's going to work.

19 SENATOR KERNAN: Can everyone hear with
20 this? Very good. Good evening, I'm State Senator Gay
21 Kernan, and I've followed the work of the Eddy-Lea
22 project since entering the Senate in 2003. My
23 district includes North Hobbs, a portion of North Lea
24 County, Artesia in the northeaster part of Eddy
25 County.

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1 During my time in the legislature, I have
2 been involved with the siting and development of the
3 URENCO facility, and I'm a strong supporter of WIPP,
4 which is also close to my district. These two
5 operations have helped immensely in stabilizing the
6 economic ups and downs of our oil and gas and potash
7 industries.

8 I have served also on the Radioactive and
9 Hazardous Materials Committee for many years, and we
10 are responsible for the oversight of the nuclear
11 industry, such as Los Alamos national labs, Sandia
12 national labs, and the WIPP site.

13 When the Blue Ribbon Commission
14 recommended interim storage and the Eddy-Lea Alliance
15 decided to explore the possibility of siting the
16 facility in southeast New Mexico, I followed the work
17 of the Alliance as the members have vetted potential
18 manufacturers, evaluated the site, and determined
19 whether the safe transportation of the material to our
20 area is possible.

21 I'm convinced that it is now time for the
22 NRC to begin its work in making the determination
23 whether the construction of such a facility is
24 feasible in southeast New Mexico. We know that the
25 HI-STORM UMAX, or Holtec International storage module,

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1 is currently being used successfully in a highly
2 congested area in a California nuclear generating
3 plant.

4 How much better for the storage of this
5 material to be in an area away from our cities and
6 towns, including Eunice, New Mexico. Therefore, I
7 encourage the Commission to consider the location of
8 the Eddy-Lea site versus sites that would be central
9 to a population center. It appears that this should
10 be a high priority goal of the Commission.

11 Sandia Laboratory, national laboratory,
12 has conducted a preliminary testing for the safe
13 transport of the material by rail. I know that
14 currently the US Department of Transportation
15 coordinates with the NRC in the transportation of
16 nuclear material. It regulates carriers and
17 establishes standards for the routes that will be
18 used.

19 I am confident that the Commission will
20 carefully consider the impact of transporting the
21 material to southeast New Mexico, just as it has for
22 other nuclear materials entering and leaving our area
23 currently. The Eddy-Lea site is of course desert, 35
24 miles from population centers, has no water impacts,
25 and is protected by 2000 feet of salt below it.

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1 We have a nuclear workforce in this area
2 and communities that have accepted the presence of the
3 nuclear-related facilities. I stand in support of
4 moving and determining, based on scientific evidence,
5 whether the proposed Eddy-Lea site is a safe and
6 appropriate location for the interim storage of spent
7 fuel that has been generated across our country in the
8 production of nuclear power. Thank you for this
9 opportunity.

10 MR. CAMERON: Okay, thank you, Senator.
11 And thank you for helping us out with the microphones.
12 We're going to hear now from two members of the New
13 Mexico House of Representatives. And the first one
14 David Gallegos. And then we're going to hear from
15 Larry Scott.

16 REPRESENTATIVE GALLEGOS: Good evening and
17 thank you. I also want to thank you for coming to Lea
18 County. I heard a lot of good detail here tonight,
19 and I actually appreciate the public coming out also.

20 I think all four of us are part of the
21 Radioactive and Hazardous Materials Committee. So in
22 the interims, let me stop and go backwards. I was
23 voted in in '12, so in 2013 was my first year in the
24 legislature. My area covers District 61, which is
25 part of Lovington, south side of Hobbs, all of Eunice

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1 and all of Jal. So I've got a smaller area than the
2 senators have, but it's still of importance to us.

3 Since being on the legislature, we have
4 been in those committee meetings trying to understand
5 everything from, like Senator Kernan said, Los Alamos
6 down to the WIPP site and everything URENCO does. I
7 did get some new information that I did not catch
8 before in some of those meetings.

9 And one was the canister had been deemed
10 safe, and I appreciate that, because I've had a lot of
11 discussion with the community on the safety aspects of
12 this. I totally believe that what you guys did was
13 right by Eunice, I live in Eunice, when URENCO came to
14 town. We are looking to diversify our state. We love
15 oil and gas, but as it takes its hills and valleys, it
16 seems to disrupt our lives.

17 So what URENCO did was give us stability.
18 And I truly believe that this Holtec operation will
19 give us another piece of that puzzle that will level
20 out our playing field here for New Mexico.

21 Just really quickly, and a lot of good
22 detail was already given, we call ourselves the
23 Energyplex for multiple reasons, but we want to
24 diversify that. On the 19th, the Lieutenant Governor
25 is sending a contingency, myself included, to China to

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1 try to find some opportunities to diversify New
2 Mexico, to bring businesses back into New Mexico, so
3 that we can take those peaks and valleys out.

4 We have one right here. And I truly
5 believe that you guys will do your due diligence out
6 there on the site tomorrow and from here on out, to
7 look at the opportunities that we have to make the
8 right decision for this county and for both counties.

9 But I truly stand behind Holtec's process.
10 Everything that I've heard about it, they've put a lot
11 of effort and time into the safety aspect and the
12 longevity of it. So they're going into different
13 phases so they have some time to make sure everything
14 continues, not just a one-time drop in the ground and
15 be gone.

16 I like the option there, having the
17 environmental monitoring and preparedness. They've
18 given us really good detail on that, I feel secure in
19 it.

20 The last thing I wanted to tell you before
21 Representative Scott comes up here is New Mexico's
22 looking for a better-than-average salary. Holtec has
23 it. We're looking for very good benefits for our
24 citizens, Holtec does that.

25 Being a resident of Eunice, I totally

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1 believe that URENCO was the right thing to do, and I'm
2 looking forward to your decision on allowing, I think
3 I said URENCO was the right thing to do. But allowing
4 Holtec to go forward with this application, because I
5 think that's the next step for us in Lea County. So
6 thank you for your time.

7 MR. CAMERON: Okay, thank you,
8 Representative Gallegos. And now we're going to hear
9 from Representative Scott, and then we're going to go
10 to some of the Lea County commissioners, Ron Black,
11 Rebecca Long, and Jonathan Sena. This is
12 Representative Scott.

13 REPRESENTATIVE SCOTT: Good evening,
14 members of the NRC, ladies and gentlemen. My name is
15 Larry Scott, and I am a state representative from
16 District 62, which is Hobbs in Lea County. I serve on
17 the Radioactive and Hazardous Materials Interim
18 Committee. And in that capacity, I've heard this
19 proposal in several different settings, and have come
20 to develop a couple of opinions with regard to
21 Holtec's application.

22 It is my opinion that the safety and
23 environmental review will not be conducted on an ad
24 hoc basis and will in fact be extremely thorough.
25 Further, it is my understanding that the safe

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1 transport of this material will be a part of that
2 safety review.

3 I've heard concerns, both tonight and from
4 previous presentations, that oil and gas could be
5 impacted by this facility. I am a 40-year oil and gas
6 producer, Lea and Eddy counties. I believe that the
7 area under consideration is geologically stable.

8 And I further believe that at the depths
9 that this material will be stored versus the depths
10 that oil and gas is typically encountered in that
11 vicinity, that there could be virtually no, absolutely
12 no interaction.

13 The material in question is spent nuclear
14 fuel rods. These are currently being stored on or
15 near facilities that are generating the electric
16 power. These facilities were developed with little or
17 no consideration for both safety or environmental
18 concerns with regard to storage. A facility
19 specifically designed to take safety and environmental
20 considerations into concern looks to me like a much
21 better and more reasonable proposal.

22 I've heard concerns from many that
23 temporary storage need not be developed until some
24 permanent storage solution is developed. That process
25 has been ongoing for years.

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1 I am absolutely of the opinion that a
2 permanent solution needs to be developed, but I also
3 believe that with changes in technology and economics,
4 this material could be recyclable at some time in the
5 future, leaving this facility the ability recover
6 those spent rods, and at some point use them for
7 economic benefit.

8 The economic benefits to the communities
9 of Lea and Eddy County has already been mentioned.
10 We're discussing several billion dollars of initial
11 investment, along with many longterm, high-paying jobs
12 after the facility is finished.

13 I believe that the project should be
14 evaluated on the basis of science, not speculation,
15 conjecture, or emotion. And if the science indicates
16 that this project can move forward in an
17 environmentally sensitive and safe manner, I would
18 stand in full support. Thank you.

19 MR. CAMERON: Okay, thank you,
20 Representative Scott. And now we have Ron Black,
21 who's Chair of the Lea County Board of Commissioner.
22 Ron.

23 MR. BLACK: My name is Ron Black. I am a
24 retired educator and currently Chairman of the Lea
25 County Commission and also serve on the Board of

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1 Trustees at New Mexico Junior College. I'd like to
2 thank the NRC for being here tonight and the diligence
3 that you've shown in evaluating this proposal.

4 I have lived in Lea County for 52 years
5 and raised three children here. I still have one
6 child over here, along with two granddaughters and a
7 great-granddaughter. And I mention this because I
8 love Lea County. It has been my home for all of my
9 adult life. It is the home of my children, and will
10 continue to be.

11 So if I thought there was the slightest
12 bit of danger associated with this project, I would be
13 the first one in line to oppose it.

14 I recognize that protesters who have come
15 from other parts of the state, other parts of the
16 nation will probably never change their mind, but I do
17 feel that the strong majority of the people in Lea
18 County support this project. People in Lea County
19 have been working with hazardous materials all their
20 life and are very safety conscious.

21 I did a little research and discovered
22 that in 2016, that was the last year I could find
23 statistics, there were 2.3 billion workforce
24 fatalities worldwide. The United States has a much
25 better record because we have much higher safety

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1 standards, but we still had 5,190 people died in
2 workforce accidents, according to the Bureau of Labor
3 Statistics.

4 And here in Lea County, it's much too
5 common we, if you live here a long time, we know we've
6 had people, friends and neighbors of ours who have
7 died in workforce accidents.

8 But in the nuclear industry, which is far
9 and away the most highly regulated and safety-
10 conscious of all the industries, I could find only
11 fatality on record. In 1964, Robert Peabody who
12 worked at the Wood River in Rhode Island made a
13 mistake that cost him his life.

14 There have been a relatively small number
15 of people that have died after radiation exposure, but
16 in every case I could find, they were hospital
17 patients receiving radiation treatments that were
18 accidentally given an overdose.

19 You know, there have been concerns
20 expressed about the transportation of nuclear waste to
21 the Holtec site. If you stop and think about it, the
22 worst possible thing that could happen, even though
23 it's highly unlikely, the worst possible thing that
24 could happen would be a train wreck.

25 But the casks that are being used to

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1 transport this product have been subjected to tests
2 far in excess of any stress that they might receive in
3 the worst train wreck. They've been lifted by a crane
4 high under the earth and dropped onto a sharp steel
5 spike about three feet high.

6 They've also, the Swiss Government
7 actually required them to be shot with a missile, a
8 direct hit with a missile, before they'd be approved.
9 In none of these cases did a single bit of radiation
10 escape the cask.

11 And certainly the distress of being hit,
12 a direct hit with a missile and being dropped from a
13 distance on a steel spike would be more stressful than
14 you could get even in the worst possible train
15 accident, which is unlikely to begin with.

16 You know, the nuclear industry is already
17 established here in southeastern New Mexico with WIPP
18 and URENCO. Opening an interim storage site will not
19 only bring a strong and stable industry that won't be
20 subject to the fluctuations of the oil and gas
21 industry, but it will also resolve a problem that has
22 existed for many years and will provide a much safer
23 and cost-efficient means of storing the spent fuel.

24 I would encourage every one of you to do
25 the same thing I did and research this issue for

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1 yourself. And I think you'll find that this proposal
2 has merit and it will be a big benefit to southeastern
3 New Mexico. Thank you.

4 MR. CAMERON: Okay, thank you. Thank you,
5 Chairman Black. Rebecca Long is the Vice Chair for
6 the County Commissioners, and she's going to come up.
7 And then we're going to hear from Jonathan Sena.
8 Rebecca.

9 MS. LONG: Thank you. Good evening, I am
10 Rebecca Long, Vice Chair for the County Commission, as
11 you just said. I've had a few calls about the safety
12 of shipping the nuclear material, and I want to just
13 kind of give a few things on that.

14 There are approximately six to eight
15 shipments of nuclear material trucked to the WIPP site
16 each week. There have been approximately 12,000
17 shipments covering 14 million miles with no problems.
18 Across our country, there have been approximately 1300
19 shipments of nuclear material by rail with no
20 problems.

21 Our Navy has shipped spent fuel by rail
22 approximately 850 times, for a total of 1.6 million
23 miles with no problems.

24 I grew up in Lea County, and I am proud to
25 live here. I plan to be here the rest of my life, and

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1 I have complete confidence that this site will be
2 safe. I appreciate you all being here this evening.

3 MR. CAMERON: Okay, thank you very much,
4 Rebecca. And Jonathan. Yes, yes.

5 COMMISSIONER SENA: Well, good evening.
6 I am so grateful the NRC, Holtec, and everybody who
7 came tonight to voice their opinions on this important
8 issue. My name is Jonathan Sena, and I am a county
9 commissioner here in District 4. I'm also a youth
10 director here in Lea County. I work with kids, I work
11 with young people.

12 Before serving on the County Commission,
13 I served for almost nine years on the Hobbs City
14 Commission. I've lived in Hobbs since 1986, and my
15 family has lived in New Mexico for almost 400 years.
16 We are vested in this state. New Mexico is my home
17 and Hobbs is my home. I went to grade school here, I
18 graduated from college here, I was married here.

19 I would only want businesses and projects
20 to come into Lea County that are good for our
21 communities and for families here. I believe Holtec
22 is one of those companies. They're a company using
23 safe technology, and they provide jobs that pay well
24 to employees.

25 You see, to understand Hobbs, to

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1 understand Lea County, is to understand that we are an
2 energy-based economy. Oil, gas, nuclear energy, such
3 as has been the case with URENCO, solar, and wind
4 energy are massive parts of our everyday lives. I
5 think young people and students and people in churches
6 and city clubs can probably tell you the price of a
7 barrel of oil of any given day.

8 After learning more about this issue and
9 learning more about the science that's involved with
10 Holtec's project, I believe this will be a positive,
11 safe project for our community. I believe Holtec will
12 do an extraordinary job, and I welcome Holtec and
13 their project to Lea County. I definitely support the
14 Holtec project. Thank you.

15 MR. CAMERON: Thank you. Thank you very
16 much, Jonathan.

17 And we realize that there was one part of
18 Lon's question that we didn't address, which was the
19 extra meetings. And so, John McKirgan is going to
20 just acknowledge that and talk to that.

21 John?

22 MR. MCKIRGAN: So, yes, thank you, Chip.

23 I did want to acknowledge that as was
24 mentioned there has been a fair bit of correspondence
25 to the NRC on these meetings, their location and the

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1 duration of the scoping meeting. I wanted to share
2 with everyone that the NRC takes this correspondence
3 very seriously. My organization together with
4 Cinthya's organization reviews each of these and we
5 evaluate each of these requests very seriously. And
6 they come from a number of stakeholders. And as we do
7 continue to receive this correspondence, we will
8 evaluate these requests on their merits and try to
9 respond appropriately.

10 And all of these documents: the incoming
11 correspondence and our responses, are all being made
12 available on the public web site so that you all can
13 see what's going on and the dialogue that is occurring
14 on these meetings. And so I just wanted to make sure
15 I shared that with you all because there has been a
16 great deal of interest and correspondence on these
17 meetings. So I wanted to make sure we had that
18 process clarification, and that I'm sure will continue
19 and we'll continue to respond to this as they go
20 forward.

21 MR. BURNAM: Chair, thank you for that
22 information, but it is still non-responsive to my
23 question about the timing of these public meetings and
24 whether or not they are duly in order process-wise.
25 So please don't insult me by pretending that you

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1 answered my question. It's great information. I'm
2 glad you shared that information. You're still not
3 responsive to my question, and the question is will
4 you litigate and inform --

5 (Simultaneous speaking.)

6 MR. CAMERON: Okay, Lon. Thank you.

7 We're going to go to Marlene Boyden, Greg
8 Richards, and Finn Smith. Do we have Marlene Boyden?
9 If I'm pronouncing it correctly, but I think here she
10 is, correct?

11 MS. BOYDEN: Yes.

12 MR. CAMERON: Okay.

13 MS. BOYDEN: Thank you to the facilitator
14 and members of the Commission and ladies and
15 gentlemen.

16 I am opposed to Holtec's application for
17 several reasons: First of all, I am a teacher. I
18 love kids, I am passionate about kids, and I don't
19 think this is good for the kids. I want the kids to
20 have good lives and full lives and healthy and happy
21 lives.

22 And this is geologically unsound. This is
23 -- there are sinkholes in Carlsbad, there are
24 underground caves. It's just not an appropriate idea.
25 It's -- in Roswell there are bottomless lakes.

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1 Literature says that this kind of unproven storage
2 should not be near bottomless lakes and yet we're
3 being told that it's safe. If it's so safe, why is
4 Yucca Mountain sending it away? If it's so safe, why
5 won't they keep it where it's generated?

6 (Applause.)

7 MS. BOYDEN: Thank you.

8 MR. CAMERON: Thank you, Marlene. And did
9 I get --

10 MS. BOYDEN: Melanie.

11 MEMBER BROWN: Melanie? Sorry about that.
12 Thanks, Melanie.

13 Greg Richards?

14 (No audible response.)

15 MR. CAMERON: Finn Smith? Is Finn here?
16 Here's Finn.

17 MR. SMITH: I'll see if I can get this
18 close enough. Can everybody hear me okay? We'll try
19 this out.

20 Good evening, members of the Commission,
21 ladies and gentlemen. My name is Finn Smith. I'm
22 president of a local business here since nineteen-
23 forty -- well, I've been president since 1943. The
24 business has been in existence since 1943. That's
25 Watson Truck & Supply. I also serve as board chair

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1 for the Yucca Mountain Development Corporation of Lea
2 County.

3 At EDC we are a county-wide partnership of
4 businesses, local governments and educational
5 institutions. Our mission is to expand and diversify
6 Lea County's economy. The EDC and our members have
7 long embraced advanced technologies and projects
8 involving the nuclear industry as part of our efforts
9 to grow the New Mexico EnergyPlex and to diversity Lea
10 County's energy sector.

11 The EDC has worked side by side with
12 several entities such as URENCO seeking to site
13 nuclear sector facilities here in Lea County. Those
14 companies have undergone rigorous reviews similar to
15 this process that we're witnessing tonight and they
16 have proven to be excellent corporate citizens.

17 We are confident that the NRC with its in-
18 depth study will thoroughly evaluate the proposed
19 technology as it relates to suitability for the
20 proposed use and consider the term of its intended use
21 here. We believe that this geographic region is well-
22 suited for such a facility. Under the right
23 conditions of suitability, appropriate technology,
24 environmental monitoring and preparedness, as well as
25 economic value we would welcome this industry to our

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1 region.

2 Holtec is well respected within the
3 industry. They provide on-site dry storage for
4 approximately 60 percent of U.S. nuclear units and
5 possess strong expertise in used nuclear fuel storage.
6 The safety and security of their systems is unmatched.

7 Our focus at ED primarily concerns the
8 economic benefits to the community, so I'll limit my
9 remarks to focus on how this impacts our economy.

10 The Holtec facility will itself provide
11 approximately 100 construction jobs for a period of 10
12 years as well as 100 long-term facility operations
13 jobs. Similar to other nuclear facilities within
14 Southeast New Mexico, these jobs will be quality jobs
15 paying an average salary of approximately \$70,000 a
16 year as well as good benefits. Most of these jobs
17 will require technological skills. Folks, more
18 quality jobs in Hobbs is great for all of our kids.
19 It keeps them here. It keeps them from migrating to
20 other areas, seeking out better employment
21 opportunities.

22 The Holtec Training Center of Excellence
23 that is also envisioned as part of this project will
24 provide additional jobs and economic benefits to area
25 businesses. It is likely that the manufacturing of

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1 the carbon steel structures will also be located here
2 as well generating additional jobs.

3 Perhaps the greatest economic benefit to
4 Hobbs and Lea County will be the tremendous property
5 tax revenue generated by this \$2.4 billion facility.
6 Our K through 12 schools as well as our New Mexico
7 Junior College will be the main beneficiaries of this.
8 They're dependent upon these property tax collections.
9 Greatly increased educational funding will help
10 further elevate the quality of our schools. Other
11 taxing jurisdictions within the ELEEA Alliance such as
12 Lea County and the City of Hobbs will also benefit
13 from a large degree from the property taxes and gross
14 receipts tax revenues resulting in substantially more
15 resources available to fund community services.

16 A critical advantage of the Holtec site,
17 in our view, which is proposed as you know tonight, to
18 be on the Eddy Lea Energy Alliance site in Lea County,
19 New Mexico, roughly 35 miles west of Hobbs versus the
20 other proposed site which is proposed by Waste Control
21 Specialties just over the Texas border near Eunice,
22 New Mexico -- most of the revenues from the Holtec
23 site will directly impact Lea County and New Mexico to
24 support both Lea and Eddy County schools as well as
25 their governments. That would not be case with the

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1 Waste Control Specialists site temporarily sited for
2 just across the Texas border.

3 In closing, we would appreciate your
4 recognition of the tremendous economic and tax revenue
5 benefits to Lea and Eddy County schools and
6 governments associated with Holtec's facility,
7 however, the health, safety and welfare of New Mexico
8 citizens affected by the siting of this project are of
9 utmost concern.

10 Having observed the rigor of the NRC's
11 process in permitting the URENCO site we respect the
12 thoroughness of your approach in addressing those
13 questions by reviewing the proposed facility, its
14 technology and appropriateness to Lea County. Thank
15 you for your time and your attention.

16 MR. CAMERON: Thank you very much, Finn.

17 We're going to go to Joy Russell next and
18 then Steve Schafersman, Joni Arends, Melanie Snyder
19 and Carol Levine.

20 This is Joy Russell.

21 MS. RUSSELL: Good evening. My name is
22 Joy Russell and I'm the Vice President of Business
23 Development and Communications for Holtec
24 International. I want to thank you to the NRC for
25 being here to give Holtec the opportunity to meet with

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1 you to provide information. We commit to the NRC that
2 we provide timely and good quality responses to any
3 questions that you ask of us.

4 I want to also thank the community, all of
5 the elected officials that are here and all the
6 members of the public for giving us an opportunity to
7 establish our project with you in this area. We
8 invite you to visit us at our booth in the back. My
9 colleagues are here to answer any questions that you
10 have. We're very transparent and we'll answer any
11 questions that you have of us.

12 Holtec International is a technology
13 company. At our core spent fuel storage is what we've
14 always done and what we continue to do. For 32 years
15 we've been storing spent nuclear fuel safely and
16 securely not only in the United States, but around the
17 world.

18 We are an American company. We are owned
19 by an American. We manufacture here in the United
20 States. We have three manufacturing centers of
21 excellence currently in the United States: one in
22 Pittsburgh, one in Southern Ohio, and our newest one
23 which we just opened last year in November in Camden,
24 New Jersey. We're very proud of our record of safety
25 at our factories and we look forward to establishing

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1 additional manufacturing capabilities here in New
2 Mexico.

3 I'm proud to say that we have an
4 impeccable safety record with our equipment. We've
5 never had an issue with any of our equipment from a
6 safety perspective, both during the deployment of the
7 equipment and also during the storage of the
8 equipment.

9 The members of the ELEA Alliance in 2013
10 asked us to be their partners. They carefully vetted
11 our equipment, as many of you have heard tonight, to
12 ensure that it is indeed the safest equipment that's
13 possible for storage of spent nuclear fuel.

14 Holtec has applied for the license to
15 operate the facility with our partners ELEA. We
16 commit to you hire, train and educate individuals from
17 this area to construct the facility as well as work at
18 the facility.

19 Our goal is to establish a temporary, safe
20 and secure facility at the same time working to push
21 the Federal Government for their obligation to take
22 final possession of the spent nuclear fuel. We are
23 fully committed to this being a temporary facility,
24 the safest facility possible by storing the used
25 nuclear fuel in a below-grade configuration, keeping

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1 it from potential manmade or terrorist attacks.

2 Again, I thank you for the opportunity to
3 address you, and again we commit to being good
4 stewards of the environment and good neighbors to the
5 community. Again thank you.

6 MR. CAMERON: Thank you, Joy.

7 And this is Steve, Steve Schafersman.

8 MR. SCHAFERSMAN: Good evening,
9 Commissioners. Thank you for your attention to this
10 important issue.

11 As you know, I am a working consulting
12 scientist in the petroleum and environmental
13 industries. I have studied the containment of
14 hazardous wastes in the past. I visited superfund
15 sites and I have taught courses in environmental
16 geology, environmental science and environmental law.

17 As with many people in this room I want to
18 see the nuclear waste transported, but one time to a
19 final repository. This repository would be in igneous
20 rock that is non-porous and non-permeable. The risks
21 of transportation are not zero. There's a risk. The
22 risks are too high to move it twice. There is -- you
23 can do risky things if the benefits are greater than
24 the risks. In this case moving all this fuel to a
25 final resting place would be a benefit that would be

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1 appropriate.

2 The site that is proposed here, the Holtec
3 site, is not a good site because, for number one, the
4 final resting place of any nuclear waste should be
5 isolation. And this site is designed to be accessible
6 so it will be accessible to the people who run it and
7 will also be accessible to proliferation and to
8 terrorists.

9 There are other risks here. If the fuel
10 is moved here, this will be the final resting place.
11 It will not be moved again for reasons that you know.
12 There will be no motivation from the states who have
13 already gotten rid of their waste to do it again. How
14 would this be paid? The cost would be in billions of
15 dollars. Also, the money in the fund to handle waste
16 will be depleted.

17 Now I want to --

18 MR. CAMERON: Steve, can I interrupt you?
19 And I apologize, but there's an emergency situation
20 for someone. There's a black Dodge Avenger parked in
21 a fire lane outside. I guess the license is PLH687.
22 But they're going to tow it away if you don't go out
23 and get it. So I don't know if you're here, but get
24 your car out of there or else it won't be there. It
25 will be at the impound lot. But I guess we're have

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1 everything this meeting.

2 So, Steve, continue, please.

3 MR. SCHAFERSMAN: Thank you, Chip.

4 Now one issue that came up; and I
5 mentioned this before and so did several of my
6 friends, is the location of soluble rocks beneath the
7 ground at this site. These are limestones and salt.
8 In West Texas there is considerable interest in
9 analyzing the problems there. There is subsidence,
10 sinkholes and other formations that have happened
11 because of this.

12 And I want to emphasize right now that the
13 geometrical conditions in West Texas and here in
14 Eastern New Mexico where we are are essentially
15 identical. Below the proposed site, the ELEA site,
16 there are soluble limestones and salt. So similar
17 things can happen. Other things that cause this are
18 natural flow of fresh water and oil and gas production
19 for reasons I'm not going to take the time to get
20 into.

21 Now two scientists from Southern Methodist
22 University studied this. They used radar from new
23 satellites that have been recently put up and they did
24 spatial studies using radar interferometry and they
25 calculated that the ground has subsided. It will be

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1 absolutely vital that the proposal for this site study
2 -- do the study; perhaps they could hire the same two
3 scientists to do this, because it's likely there has
4 been subsidence.

5 The subsidence is caused by oil field
6 water extraction or field hydrocarbon extraction by
7 the pumping in of water to keep the pressure up in the
8 reservoirs which can get loose from pipes from --
9 excuse me, well casings that are not properly
10 developed and can dissolve the salt. We are very
11 close here to the Capitan Reef trend. That is the
12 site as -- which is known for its karst topography.

13 Now I have given you a handout that has
14 links to these papers, the two professional papers
15 published in scientific journals and some popular
16 papers that discuss this. This is a significant geo-
17 hazard. The authors say this is a geo-hazard that can
18 be studied by this data which is freely available to
19 the public. Human activities and natural activities
20 can cause this -- can cause problems.

21 So this a significant situation. And
22 since, as I said, the geology in West Texas and --
23 where this is occurring now, and Eastern New Mexico is
24 identical. So please be aware of this problem. Thank
25 you very much.

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1 MR. CAMERON: Okay. Thank you.

2 (Applause.)

3 MR. CAMERON: Thank you very much, Steve.

4 And I just want to tell you that Steve has
5 given the NRC three pages of cites on documents about
6 what he was talking about and with links to the
7 documents, and that is going to be a public document
8 and you'll be eventually able to see that.

9 And, Joni?

10 MS. ARENDS: Hi.

11 MR. CAMERON: Hi, how are you doing?

12 MS. ARENDS: Good. I haven't seen you for
13 a couple years.

14 MR. CAMERON: Yes. Yes, it's been awhile.
15 And I don't know if anybody wants -- if you want to
16 say what area you're from, you can do that. You don't
17 have to, but I'll just mention that now. This is Joni
18 Arends.

19 MS. ARENDS: Hi. Good evening. My name
20 is Joni Arends and I am the co-founder and Executive
21 Director of Concerned Citizens for Nuclear Safety
22 based in Santa Fe, New Mexico.

23 I have three comments: The first one is
24 that I have a petition that was signed by residents of
25 Santa Fe that I would like to submit to the record,

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1 but I would like for the NRC to sign a receipt for
2 this, if you would. And I don't know who would do
3 that. We're concerned about public comments being
4 lost, so a receipt is one way that we can ensure that
5 the signatures are put into the record.

6 Our second comment is that we really need
7 an email address similar to the Texas project. People
8 are really struggling to get through the federal
9 rulemaking web site process to be able to submit
10 comments, so we would really like a direct email to
11 Ms. May -- Ms. Ma with the NRC to ease the process to
12 submit commits.

13 Number three is about the scope of the
14 Environmental Impact Statement. So I reviewed the
15 Emergency Response Plan and in Appendix B to the
16 Emergency Response Plan, or Appendix C, excuse me,
17 Facility Emergency Action Levels. In column No. 1 it
18 talks about the incidents, which are high winds and
19 tornados, winter storms, range fires, spills,
20 releases, fire, explosion, airplane crash, government
21 or commercial vehicle crash, site intrusion, bomb
22 threat, radioactive plume. I would add to this list
23 sinkholes, subsidence, dissolution of the salt
24 formation.

25 The second column calls these unusual

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1 events. It says that they're under development. I
2 believe Holtec should provide a complete Emergency
3 Response Plan that includes the unusual events,
4 complete this section, this Appendix C before the NRC
5 can adequately move forward with an Environmental
6 Impact Statement.

7 And for the list here these are not
8 unusual events. These are normal events at this point
9 given that we've had the explosion at WIPP, that we've
10 had a radioactive plume, we've had fires, we'd have
11 spills and releases. So this needs to be changed from
12 unusual events to normal events so that we understand
13 what the Holtec's Emergency Response Plan would be to
14 respond to that.

15 So those are my comments and I thank folks
16 for being here.

17 MR. CAMERON: Joni, thank you. Thank you
18 for that.

19 (Applause.)

20 MR. CAMERON: And we do have a little bit
21 more information about the email list, and I'm going
22 to ask Cinthya just to update us on that at this
23 point.

24 MS. ROMAN: Hello. So I signed both
25 receipts.

1 Regarding your request for an email, we
2 were using the NRC standard process of regulation.gov,
3 but we are going to comply with your request and we
4 will have an email address and we will issue a *Federal*
5 *Register* notice with that information.

6 MS. ARENDS: Okay. Terrific. And so I
7 just want to have another comment that because this
8 room is so large, it's very hard to see you all if
9 we're sitting in the back. So it would be really
10 helpful if you could stand up while you're talking so
11 that everybody could see you. Thank you.

12 MS. ROMAN: Thanks.

13 MR. CAMERON: Okay. Good suggestion,
14 Joni.

15 Melanie, are you ready? This is Melanie
16 Snyder and then we're going to go to Carol Levine.

17 MS. SNYDER: I only have a question. I
18 didn't realize there were going to be so many
19 commenters. So I'll save my comments for --

20 (Simultaneous speaking.)

21 MR. CAMERON: Okay. So you'll file some
22 written comments? And that -- Melanie, why don't you
23 just tell them -- I think your organization is
24 interesting. Why don't you just tell them where
25 you're from?

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1 MS. SNYDER: I'm Melanie Snyder from the
2 Western Interstate Energy Board and I am the High-
3 Level Radioactive Waste Program Manager. We focus on
4 transportation of spent nuclear fuel and high-level
5 radioactive waste in the West.

6 MR. CAMERON: And for those of you who
7 don't know about the Western Interstate Energy Board,
8 you might be interested in going onto their web site
9 and seeing what they do.

10 Carol Levine, Lisa Hardison, Alfred
11 Medina, Nick Maxwell. This is Carol.

12 MS. LEVINE: This is Carol, yes. This is
13 Carol Levine and I'm not with any group really, and
14 it's difficult to stand up and not be really nervous.

15 So we've heard from people who are really
16 used to speaking and I think that makes a difference
17 because we appreciate what you've said, but it comes
18 across very smoothly whereas those of us who are
19 unused to speaking sometimes don't come across quite
20 so well.

21 I'm interested -- well, kind of a process
22 statement. This meeting was kind of like the first
23 time as far as I know that information was presented
24 to the people who live here in Hobbs. And exactly on
25 the same day that you're making available -- oh, I've

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1 picked up lots and lots of material and I'm going to
2 read it, but today is the day when we have to make
3 comments.

4 And I would suggest that if something like
5 this comes up again, that there be a little lead time
6 so that perhaps the information could be made
7 available at a meeting and there could be
8 presentations by the governmental people and the
9 business people. And then the people who live here
10 could make comments maybe a few weeks later.

11 I understand that we can write comments as
12 well, but sometimes hearing somebody else say
13 something, it triggers something in our own minds and
14 helps us understand things. So just reading things
15 from the computer some -- maybe it's because I'm old,
16 but just reading things on a computer doesn't have
17 quite the same effect as hearing my neighbors speaking
18 up. So that's a process thing.

19 I'm a retired school teacher and I also
20 worked for the Department of the Interior, in National
21 Wildlife Refuges and National Parks, and I'm concerned
22 with what is on the land that's going to be taken out.
23 And I was glad to see that there will be an evaluation
24 of the wildlife and cultural things that are on the
25 sites. And these are important.

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1 I know that here in Hobbs and Lea County
2 it may not be very popular to say that, but especially
3 as the weather is changing and it's getting drier and
4 drier this is more stress on the wildlife and on the
5 plants that do live here. We're a very special
6 environment. I know the rest of the country doesn't
7 think much of us. We think that we're a good place to
8 bury nuclear waste that they don't want, but actually
9 we are a special place. And I am glad that you're
10 going to be doing that.

11 Also I was concerned -- another process
12 point is that I appreciate that our legislators and
13 all have received letters of support from the
14 governmental agencies and the state and perhaps also
15 in the country, but we've had a couple of elections
16 recently here in Lea County and I didn't see anything
17 on there for us to vote about. It seems like if you
18 want to know what the attitude of the people living
19 here is that that would have been a good time for us
20 -- you know, maybe it wouldn't even be something that
21 would decide it one way or the other, but it would
22 have been a good time to collect information from the
23 people who live here about what they felt like, and
24 hopefully after they had already been given
25 information to evaluate. That would have been a good

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1 idea, I think.

2 And I thought it was very interesting
3 about what Mr. Black said that he's very confident in
4 the safety of Holtec because in the past the power
5 plants and the nuclear things that were done without
6 concern for safety or environmental issues by the
7 government. And even here at WIPP we've had problems.

8 Now Mr. Black and I disagree about the
9 next step. I feel if there have been so many
10 problems, and really there's -- there have been a lot
11 of nuclear problems at Hanford and at Rocky Flats.
12 And there's already spent fuel underground at -- in
13 California and the government put it where it was not
14 a good place. They want to take it out now and send
15 it to us.

16 There has been a lot of incidents where
17 the government has not been good with nuclear. And
18 I'm only afraid -- now I don't want to insult the
19 Holtec people, but I am afraid that perhaps the same
20 thing might happen. We were told WIPP was going to be
21 safe. You have to keep it safe 10,000 years or more
22 and kitty litter messed it up.

23 (Laughter.)

24 MS. SNYDER: It frightens me. And as a
25 school teacher also I feel as Melanie does, nuclear is

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1 not just an explosion from a train wreck. Nuclear
2 affects generations. It changes genes. It's just the
3 worst possible thing as far as I'm concerned.

4 MR. CAMERON: Could you just sum up for
5 us?

6 MS. SNYDER: Thank you. I guess that's
7 it. I really didn't write it down.

8 MR. CAMERON: And that was --

9 MS. SNYDER: Thank you so much.

10 MR. CAMERON: -- articulate as any
11 practiced speaker.

12 MS. SNYDER: But I'm shaking.

13 (Applause.)

14 MR. CAMERON: Okay. And I hope Porter is
15 not upset about the kitty litter out there. Porter's
16 a wonderful dog that we have in the audience.

17 But at any rate, Lisa, Lisa Hardison, and
18 then Alfred Medina and Nick Maxwell. this is Lisa.

19 MS. HARDISON: Members of the NRC, thank
20 you so much for your investment of time tonight to
21 conduct this meeting. We appreciate you being here.
22 My name is Lisa Hardison. I'm the Manager of
23 Communications and Public Relations at URENCO USA.

24 As a business that is part of the nuclear
25 fuel cycle we are supportive of other businesses that

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1 are looking to continue to diversify the industry as
2 well as the local economy. We have found a welcoming
3 home here in Lea County as well as a qualified and
4 educated workforce.

5 URENCO USA is regulated by the Nuclear
6 Regulatory Commission and is aware of the process
7 during licensure, construction and operation. We can
8 attest that the oversight provided by the NRC ensures
9 that safety is the highest consideration during every
10 stage of the process. This same process is the one
11 that Holtec is currently following which will likewise
12 ensure the safety and security of their project. Our
13 company is proud to be part of the EnergyPlex and we
14 look forward to the continued growth of the energy
15 sector here in our community. Thank you.

16 MR. CAMERON: Thank you. Thank you, Lisa.

17 And Alfred Medina?

18 (No audible response.)

19 MR. CAMERON: Nick Maxwell?

20 MR. MAXWELL: My name is Nick Maxwell. I
21 am one of the people of Lea County in opposition of
22 this project proposal by Eddy-Lea Energy Alliance, LLC
23 and Holtec International.

24 My concern with this project begins with
25 Eddy-Lea Energy Alliance, LLC and the way they handled

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1 their public meetings. Although this project was
2 touted as a consent-based project, we have a law in
3 the state called the Open Meetings Act that requires
4 public bodies, which Eddy-Lea Energy Alliance, LLC is
5 one of, to take minutes of their meetings, to give
6 reasonable notice of their meetings to the public, and
7 to determine annually what that reasonable notice will
8 be.

9 For many consecutive years Eddy-Lea Energy
10 Alliance, LLC did not determine what reasonable notice
11 was for a public meeting. Several consecutive years.

12 There are years worth of minutes missing.
13 I have asked for the inspection of minutes that are
14 not being provided to me presumably because they've
15 been misplaced or lost.

16 There have been meetings held where
17 actions were taken by the board that are questionably
18 invalid at this time because of the way the notice was
19 done. And it's my opinion that in the future these
20 claims will be brought forward and that these claims
21 will be substantial.

22 I would end with also giving you
23 consideration that I will submit in writing later on
24 before the comment period expires regarding the
25 immense weight the facility will put on the land here.

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1 I do not consent to the project and I
2 believe -- I heard this last night and I think it
3 really rings true: How many people would have boarded
4 the *Titanic* had they known? They were told it was
5 safe.

6 (Applause.)

7 MR. CAMERON: Okay. Thank you. Thank
8 you, Nick.

9 And I'll just call Alfred again. Alfred
10 Medina?

11 (No audible response.)

12 MR. CAMERON: Okay. Let's go to Helen
13 Houston, Myrriah Gomez -- and I would like the
14 Shaughnessys to come up, Eileen and then her husband.
15 So let's go to Helen Houston.

16 Helen Houston? Here she is.

17 MS. HOUSTON: Good evening. My name is
18 Helen Houston and I'm here to actually not give my
19 consent for bringing the high-level nuclear waste to
20 Hobbs.

21 I was born and raised here and this is a
22 great community, but our community is small. We have
23 URENCO. URENCO is successful. We support URENCO.
24 But we also have WIPP and we did have an incident with
25 WIPP and the wind was blowing and the public wasn't

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1 notified the way it should have been. So we've had
2 the good and we've had the bad.

3 So I'm asking you to reconsider the
4 location, to be careful where you place this nuclear
5 waste storage facility. I have no idea what a spin
6 rod is. I don't know the danger of a spin rod if an
7 accident should happen. Maybe we -- you can share
8 that with us, the dangers -- what exactly is a spin
9 rod?

10 We have to think about our food supply,
11 our farmers, our home gardens in case there is an
12 accident. He said there's no such thing as zero risk.
13 I hear everyone say I believe, I believe. Mr. Black
14 is the only one that said he was confident, but
15 everyone else had a belief or a thought about it. So
16 there is some risk, some risk in transportation. What
17 if a train wreck happened? What would happen? I hear
18 you say that it's very safe, that if you hit it with
19 a bomb and nothing would happen.

20 PARTICIPANT: Speak into the mic.

21 MS. HOUSTON: Oh, I'm so sorry. Okay.
22 And so we need to think about our water supply, the
23 health of our children, of our parents, of our loved
24 ones. Everyone know that radiation brings cancer.
25 I'm sure that someone in this room have lost a loved

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1 one to cancer. Someone in this room has a loved one
2 suffering with cancer, with lupus, with thyroid
3 disease. All of this come from the radiation.

4 And someone mentioned terrorists. How can
5 we guarantee no terrorist attack? How can we
6 guarantee anything for our community? This community
7 again I would say is very, very small. I'm all for
8 economic development, but I think this location --
9 we've done our share for our country. We have URENCO
10 and we have WIPP. We don't need another nuclear waste
11 storage facility here, in my opinion, not in my
12 grandchildren's backyard. Thank you.

13 (Applause.)

14 MR. CAMERON: Thank you, Helen. Thank
15 you.

16 This is Myrriah, Myrriah Gomez, and then
17 we'll go to Eileen Shaughnessy and Brendan
18 Shaughnessy.

19 DR. GOMEZ: Thank you.

20 MR. CAMERON: Go ahead.

21 DR. GOMEZ: As part of the scoping process
22 you're here to consider safety and environment. As a
23 stakeholder in this project I want to briefly address
24 both.

25 My name is Myrriah Gomez. I'm a professor

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1 at the University of New Mexico. My forthcoming book
2 focuses on the effects of the nuclear industrial
3 complex on people of color in New Mexico, but tonight
4 I am not here as a professor or a researcher. I am
5 here as a lifelong resident of the State of New
6 Mexico, born and raised in El Rancho, New Mexico in
7 the Pojoaque Valley just 20 minutes from Los Alamos
8 where Site Y of the Manhattan Project colonized the
9 Pajarito Plateau in 1942 and began the nuclear legacy
10 we are here to address tonight over 75 years later.

11 My great grandparents were removed from
12 their ranch by eminent domain to house Site Y. Their
13 land, like the other Hispano families and indigenous
14 communities was never returned to them. My
15 grandfather and his brothers worked as laborers on the
16 project. They cleaned tools and were allowed to bring
17 contaminated materials home. They all died of cancer.
18 And today on May Day, International Workers Day, I
19 recognize my abuelo Ramon Gomez as well as my cousin
20 Ricky Gomez who died as a result of a nuclear accident
21 at the Los Alamos National Laboratory.

22 Many people will say that New Mexico is a
23 sacrifice zone. I do not believe in that term because
24 in order to be a sacrifice zone the state must be --
25 must give up something it values for the sake of

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1 something more important or worthy, but the U.S. has
2 never valued New Mexico in this way especially not in
3 the history of nuclear coloniality.

4 From Los Alamos to Trinity to Church Rock
5 to Laguna Pueblo to Gas Buggy to WIPP we are an
6 occupied place where accidents and incidents have
7 significantly hurt people of color.

8 When you draft the EIS documents and you
9 consider the evaluation of cumulative impacts that you
10 examine the legacy of the nuclear industry in New
11 Mexico. Our environment has been destroyed and New
12 Mexicans have been made targets for environmental
13 racism.

14 The proposed Holtec site is a destructive
15 multinational corporation with offices in Ukraine,
16 Africa, Asia and Arabia. The build environment of
17 Mexico is a vulnerable location for this project
18 tasked with taking on the nation's nuclear -- high-
19 level nuclear waste. I have read the proposal. It is
20 filled with holes and problematic ideas. While many
21 people here support this project, I recognize the
22 capitalist endeavor motivating these positions,
23 whereas safety and environmental impact has become an
24 afterthought for those same individuals.

25 Do not approve and advance this project.

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1 The safety and environmental threats and consequences
2 outweigh economic concerns.

3 Eddy and Lea County have a combined
4 population of nearly 50 percent people of color. This
5 proposal poses the threat of environmental racism and
6 we need the NRC to act in the interest of
7 environmental justice. Thank you.

8 (Applause.)

9 MR. CAMERON: Thank you. Thank you very
10 much.

11 Do we have Eileen Shaughnessy?

12 (No audible response.)

13 MR. CAMERON: This doesn't look like
14 Eileen Shaughnessy, but must be Brendan Shaughnessy.
15 Are you going to speak for both of you?

16 MR. SHAUGHNESSY: We're actually siblings.
17 I'm not married to her.

18 MR. CAMERON: Oh, really? Well, we heard
19 you last Wednesday and we --

20 MR. SHAUGHNESSY: Yes. Yes.

21 MR. CAMERON: -- were interested in what
22 you said.

23 MR. SHAUGHNESSY: Thank you.

24 MR. CAMERON: So is Eileen going to come
25 up after you, or are you going to --

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1 MR. SHAUGHNESSY: Yes, I'll start.

2 MR. CAMERON: Okay. Go ahead, Brendan.

3 MR. SHAUGHNESSY: Thank you. I do not
4 consent to the risk of transporting our nation's
5 highest-level nuclear waste, none of which New
6 Mexicans benefitted from. This waste should stay
7 where it's at, the communities benefitting from it
8 coming up with solutions for the waste created there.
9 The immense amount of risk of contamination of our
10 lands, air and aquifers should be reason alone to rule
11 out the transporting of waste across the country and
12 through entire communities.

13 (Applause.)

14 MR. CAMERON: Thanks, Brendan.

15 And now we're going to hear from Eileen
16 Shaughnessy. Then we're going to go to Rose Gardner,
17 Kevin Kamps, and Lon Burnam.

18 MS. SHAUGHNESSY: Hello there. Good
19 evening. My name is Eileen Shaughnessy. I'm not
20 married to my brother, so no husband at all. Just
21 want to clarify that.

22 So I am here with a group of folks with a
23 Nuclear Issue Study Group from Albuquerque, New
24 Mexico. I also teach at the University of New Mexico
25 in the Sustainability Studies Program. And so I'm

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1 just going to share a few brief comments. We just
2 drove five hours so I'm a little bit scattered.

3 But the first thing I want to say is that
4 this proposal is not sustainable. I teach
5 sustainability. I think about sustainability. It's
6 not a sustainable proposal. It's not safe and it's
7 not just.

8 And I want to -- I'm going to echo what I
9 know has already been spoken here today, but I'm
10 concerned that the NRC and ENEC is looking at this
11 area just north of the WIPP site as a sacrifice zone,
12 as a dumping ground and as a wasteland. And as Dr.
13 Gomez spoke so beautifully about, New Mexico has been
14 very unfairly burdened by the nuclear industrial
15 complex and I want to implore you to take that into
16 consideration as you do your environmental assessment.
17 Take into consideration the cumulative impact for this
18 particular corner of the country, because if you look
19 deeply into the full context of the last 70 years of
20 the history of nuclearism, New Mexico has been far,
21 far burdened, way beyond our fair share.

22 I want to let you know that the group that
23 I'm here with, the Nuclear Issue Study Group, we have
24 been working day after day to talk with folks around
25 New Mexico about this issue, and I'm here to report

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1 that the majority of people that we are talking to
2 around this state do not want this. They don't want
3 this at all.

4 We just went to Gallup on Saturday. We
5 talked to folks all day long. We went to the Keva
6 Club Pow Wow on the University of New Mexico campus on
7 Sunday. We've traveled to Los Alamos. We've traveled
8 all around the state and we're seeing over and over
9 again that people are against this. We don't want
10 this. So I want you to hear loud and clear that the
11 majority of people in New Mexico do not consent.

12 I know it's been mentioned already before,
13 but the fact that this site is supposed to be sited
14 just over 12 miles north of WIPP is of great concern
15 for many reasons, but among them is the fact that WIPP
16 on February 14th, 2014 experienced a release of
17 radioactive materials which was in direct violation to
18 WIPP's stated mission of starting clean and staying
19 clean.

20 So my question to you is how would you
21 assure the public that an accident would not happen
22 when we have already seen an accident happen at a
23 nuclear waste storage facility just 12 -- a little
24 over 12 miles south of this proposed site? Because
25 when comes to nuclear issues we all know it's going to

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1 be 100 percent certainty because these are materials
2 that are going to be radioactive for half a million
3 years. And, yes, they can alter your DNA, your RNA,
4 they cause cancer, they cause birth defects, they
5 cause autoimmune issues. So this is no light issue.

6 I'm also very concerned that the
7 transportation of these materials would be happening
8 through many states in this country and I'm not seeing
9 hearings being held in many of the states and the
10 cities through which these materials would be
11 transported including Albuquerque where I live.

12 I know you've not released the transport
13 routes yet, but we can reasonably assume that you'll
14 be using the existing infrastructure and I want every
15 community that would be along these routes to have a
16 say in this issue because it would be going -- it
17 would be transported next to communities, next to
18 hospitals, next to elementary schools. And we know by
19 the NRC reports themselves that there is a routine
20 release of radiation. So 100 percent is no such thing
21 with this proposal.

22 And I also know that it's never been done
23 to stack two canisters on top of one another, so
24 there's many concerns about that. How will you assure
25 us that this endeavor which has never been done before

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1 will not cause a release?

2 In addition, concerns about extreme
3 weather events in a time of climate change when we can
4 barely expect the same season after the next. What
5 happens when we are currently in a wildfire season, a
6 very intense drought? What happens if there's a
7 wildfire in this surrounding area?

8 So one other point I want to say is that
9 the group that I'm with, the Nuclear Issues Study
10 Group, we recently traveled to Chicago and we met up
11 with folks from around the country who -- many of them
12 who live in reactor communities. So folks that are
13 living on the East Coast or on the West Coast, San
14 Onofre, Midwest, basically are living next to these
15 waste sites.

16 MR. CAMERON: Eileen, could I ask you to
17 just sum up for us, please?

18 MS. SHAUGHNESSY: Yes, I'm about to. And
19 they're living in these -- next to this waste that
20 would be potentially transported. And I want to let
21 you know from firsthand from these communities they
22 don't necessarily want to move it. And we are -- as
23 concerned people, residents living here, we want to
24 work with them and potentially you to create a more
25 holistic and sustainable solution to nuclear waste.

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1 HOS, hardened on-site storage, is a much better
2 sustainable solution which involves reinforcing and
3 berming and making more safe the waste at the current
4 site where it's at. And that's what these communities
5 want and that's what we want.

6 MR. CAMERON: Thank you. Thank you very
7 much.

8 (Applause.)

9 MR. CAMERON: And now we have Rose
10 Gardner. And we're going to hear next from Kevin
11 Kamps and then from Lon Burnam.

12 Rose?

13 MS. GARDNER: Thank you very much. I'm
14 Rose Gardner from Eunice, New Mexico. I also am a
15 member of the Alliance for Environmental Strategies.

16 And this is a very big issue, isn't it?
17 It's not just about New Mexico. It's about the whole
18 country adopting an attitude of where will we dump our
19 nuclear crap? Who's going to take our nuclear crap
20 and keep it so we don't get the other cancers and
21 diseases associated with this stuff? It is very big
22 and it's a very important moral issue. And some
23 people don't have the same morals I do, I guess.

24 We've had family illness, cancers. I
25 personally have ingested radioactive iodine. My

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1 thyroid is no longer active. My brother had brain
2 cancer. He went through radiation treatments,
3 survived seven years and got cancer again from the
4 radiation. So I speak from a personal level, but
5 nevertheless I'm speaking for the communities involved
6 that are so close to this that will be certainly
7 impacted.

8 And I also wanted to mention that I'm
9 very, very disappointed in our political leaders.
10 Some of the leaders are here today.

11 (Applause.)

12 MS. GARDNER: And the ones that really
13 stood up for us may not be able to say anything, but
14 I will speak for them. Thank you, all the
15 legislators, all the senators and state reps that
16 asked for a delay so that we could get the necessary
17 information. And no thanks to the seven that didn't
18 want it.

19 (Applause.)

20 MS. GARDNER: Today I learned that there
21 were two train derailments in the area. One is this
22 afternoon in Barstow, Texas. Big, big, because that's
23 where I-20 is. And they had to close the highway. In
24 Odessa there was a derailment earlier today. What
25 gives? On April the 20th they had a train crash in

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1 Monahans. Two people were injured. What in the world
2 are we thinking? We're going to move this stuff
3 twice? What kind of insane idea is that?

4 You move this stuff one time. It needs to
5 be moved. It may have to travel through the state,
6 but this is not the permanent resting place for
7 nuclear waste of this magnitude. This is like having
8 100 nuclear reactors in one place, all the waste in
9 one place. That's asinine.

10 Let's protect those communities that need
11 it now. Give them the necessary and robust containers
12 that are needed for them to remain safe until the
13 waste goes to its final destination. Let's do that
14 for our -- not just the people that we know, but for
15 all the communities that have this waste there.

16 I'm concerned about the area where this
17 facility will be. R360 is already a very active
18 facility there with their remediation efforts. How
19 will H2S and other oil field activity affect this site
20 and how will the oil field be affected by the site?
21 How will the potash mines respond if there's an
22 emergency in their area due to a possible derailment?
23 What will the oil companies do?

24 I drove by the site a couple weeks ago.
25 They're laying a pipeline across that part of the

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1 properties. Where is that pipeline going? Will it be
2 under the site? Will it be under the rail spur there?
3 I don't think that's a very good idea.

4 MR. CAMERON: Rose, could you just sum up
5 for us, please?

6 MS. GARDNER: Yes, sir, I sure will.

7 MR. CAMERON: Thank you.

8 MS. GARDNER: Thank you. I think that
9 definitely our oil industry is important; that's where
10 I get my bread and butter, and I'm looking out for
11 them. Thank you.

12 MR. CAMERON: Thank you, Rose. Thank you.
13 And now we have Kevin Kamps. And we're going to hear
14 from Mr. Lon Burnam next. Kevin?

15 MR. KAMPS: Thank you, Chip. My name is
16 Kevin Kamps with Beyond Nuclear. And last night in
17 Roswell I spoke on transportation risks. And I would
18 like to finish up that thought tonight. I would like
19 to point out that as Holtec and ELEA would be so much
20 bigger than the Yucca Mountain, Nevada dump site
21 proposal, that this has to be taken into consideration
22 on the transportation scheme. And this, of course,
23 also applies to the storage risks. So just to
24 compare. In the NRC's Federal Register Notice put out
25 on March 29th, there was a figure given of 8,000-some

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1 metric tons in the first phase. And that there would
2 be 20 phases.

3 So through the simply math of multiplying
4 8,000-some metric tons by 20, the figure of 173,000
5 metric tons is the actual figure for what's being
6 proposed at the Holtec site was reached. And this is
7 versus 70,000 metric tons at Yucca Mountain. Only
8 63,000 of which is commercial irradiated nuclear fuel.
9 So you can begin to see that Holtec is approaching
10 three times the size of Yucca Mountain in terms of
11 metric tonnage. So the transport risks and impacts
12 would be significantly larger than those at Yucca
13 Mountain as well. And, as Eileen Shaughnessy pointed
14 out, that requires that transportation-impacted
15 communities across this country have meetings like
16 this. So the Department of Energy back in the year
17 2000 held two dozen meetings across the country in
18 transportation-impacted communities. Holtec ELEA has
19 stated that 100,000 metric tons would mean 10,000 cask
20 shipments. Thus, 173,000 metric tons would mean more
21 than 17,000 cask shipments out here through most
22 states in the lower 48. So compare that again to
23 Yucca Mountain, just over 12,000 casks shipments
24 versus 17,000 for this Holtec proposal. In terms of
25 the radioactive Russian roulette rolls of the dice on

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1 the roads, rails and waterways, Holtec ELEA's facility
2 would be significantly more risky than even the highly
3 controversial, high-risk Yucca Mountain dump scheme.

4 So I would like to move on to this
5 question of temporary versus permanent. I set of
6 comments I have out on the back table -- and folks are
7 welcome to take those if they'd like -- is about the
8 risk of so called centralized or consolidated interim
9 storage facility becoming actually a de facto
10 permanent surface storage parking lot dump. Holtec
11 ELEA have applied for a permit to NRC to store
12 irradiated nuclear fuel here for 40 years. But this
13 time period could, as they admit, be extended to 120
14 years. But in a report that Holtec prepared and
15 submitted to the U.S. Department of Energy back on
16 January 27th, 2017 -- signed by Joy Russell, who spoke
17 tonight, sent to Andrew Griffith at DOE -- Holtec
18 International's response to the DOE request for
19 proposal on centralized interim storage, at page 12 of
20 12, there is a quote from Holtec that says -- and I
21 quote -- the CIS should have a minimum service life of
22 300 years. End quote. How can 40 years be called
23 temporary, let alone 300? That's longer than the
24 United States has been a country.

25 The first federal government commissioned

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1 report on the disposal of highly radioactive waste was
2 published in 1957, the same year as the first so-
3 called civilian atomic reactor began operations in
4 this country at Shippingport, Pennsylvania. But in 61
5 years since, a geologic repository has not opened in
6 this country. DOE said five years ago that one could
7 not be opened now until 2048 at the earliest -- 30
8 years from now. Even that date is likely highly
9 optimistic as geologic disposal is so elusive, any
10 claims of interim or temporary storage must be met
11 with deep skepticism. And once a 173,000 metric tons
12 of highly radioactive nuclear waste are parked in
13 Southeast New Mexico -- and I point out that that's
14 more than twice what exists in this country already,
15 do Holtec is planning ahead for decades of more
16 generation of radioactive waste -- there is a very
17 good chance that it will never leave again. So, just
18 to conclude with some political reality, if this waste
19 comes out here, it would turn out to be one member of
20 the United States House of Representatives versus 434
21 others for it to ever move again. And in the U.S.
22 Senate it would be a vote of 98 to 2. So folks had
23 better think about this deeply before it's allowed to
24 come out here. Thank you.

25 (Applause.)

1 MR. CAMERON: Okay, thank you, Kevin. And
2 now we're going to hear from Lon and then we are going
3 to go to Loretta Richards, Noel Marquez and Elizabeth
4 Padilla.

5 MR. BURNAM: Good evening, NRC staff and
6 Chip. I am Lon Burnam and I was born in Artesia,
7 Texas but I spent most of my life in Fort Worth and
8 served as a legislator in Fort Worth for 18 years
9 where I represented more people than are in all three
10 counties that these public meetings are being held in
11 in Southeastern New Mexico. I represented central
12 Fort Worth where Tower 55 controls over half of the
13 train traffic from the port of Los Angeles to the
14 Midwestern East Coast and trains regularly sit at
15 Tower 55 for over a 24-hour period. Now, I have
16 ensured my staff that, well, we will figure out a way
17 to expedite -- not having those trains sit in the
18 legislative district that you represented for 18 years
19 for 24 hours at a time. And we will work double time
20 to make sure that they will not be subjected to
21 terrorist activity.

22 So that's the reason I asked the obnoxious
23 question three different ways. I am not even sure
24 that the timeliness of this meeting is legal. You
25 see, they don't have the legislative authority to

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1 completely process this application. And as Chip
2 admitted in private conversation, we know that that
3 will probably be a matter of litigation because of
4 process. And I want to make sure all of you heard
5 that Max will talk about the question of legality of
6 activities of the organization here, the Eddy-Lea
7 Alliance. They have not been in compliance with
8 public meeting laws. What they have done is created
9 an appearance. They've -- some people call it astro
10 turf grass roots, they have created an appearance of
11 support for this. But in reality, those decisions
12 have been made in private for the most part.
13 Frequently there's no record of those meetings. So,
14 process-wise, we have two questions about the legality
15 of what we're doing here today. I tried to talk about
16 transportation yesterday and cumulative impacts. Dr.
17 Gomez did such a better job than I did. He's an
18 incredible presenter.

19 What we're talking about here is
20 incredibly racist. The impact on my community is 70-
21 percent minority. That potential impact of transport.
22 And then you back up to the bigger picture of a fairly
23 legitimate concern of the artificial segregation of
24 various environmental impacts. Transportation is a
25 huge issue here. Now, we don't have any more examples

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1 -- any more recent than the one today. Rose mentioned
2 the accident in Odessa, eight cars fell off the track.
3 Then there's the one near -- not Midlothian, but
4 Monahans, over and over again. I talked of that
5 yesterday. The oil transportation infrastructure in
6 this country is not adequate to support this visionary
7 concept of moving all of this plutonium all over the
8 country to this site.

9 Now, I also want to admonish the white
10 power elite pods. This is not an economic development
11 project. It's not supposed to be considered an
12 economic development project. This is about dealing
13 with a mistake -- mistake of creating plutonium for 70
14 years and not knowing what to do with it. This is not
15 an economic development project for you. There are
16 not going to be 100 jobs as was reported year in and
17 year out. This is an economic risk that you have not
18 evaluated.

19 Yesterday, in Roswell, we heard concerns
20 about the potential impact on water. Yesterday we
21 heard from five people from Midland talking about
22 threats -- the economic threats to the oil and gas
23 industry. This should not be evaluated as an economic
24 development project for Southeastern New Mexico.

25 (Applause.)

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1 MR. CAMERON: And Lon, could I ask you to
2 sum up?

3 MR. BURNAM: Glad to. This is about
4 centralized interim storage of the most dangerous
5 thing ever created. And I don't want it -- the
6 constituents that I represented for 18 years do not
7 consent. And most of the people in this room tonight
8 do not consent.

9 (Applause.)

10 MR. CAMERON: All right, thank you, Lon.
11 Is Loretta -- Loretta Richards? Oh, I am sorry. I
12 finally understand, thank you. Noel and Elizabeth
13 Padilla. And there's someone who has signed in whose
14 last name is Velasquez, but I couldn't find the -- I
15 couldn't -- okay. All right. Go ahead, Noel. Go
16 ahead.

17 MR. MARQUEZ: My name is Noel Marquez. I
18 am from Artesia, New Mexico. I am a father of an 11-
19 year-old daughter and I am a community artist. I am
20 proud to have my work highlighted in front of this
21 building. It's a ranching family on one side and a
22 driller, oil field worker, on the other pillar. Both
23 industries proven science and culture over many, many
24 years versus the failed science of WIPP, which we have
25 also held as high science and technology.

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1 I am also a co-founder of Alliance for
2 Environmental Strategies. It's a small organization
3 from Southeast New Mexico, allied with many wonderful
4 people and organizations to educate our communities
5 about nuclear colonialism. All of us are grass root
6 links with basic common interest, love of all
7 children, concern for future generations, respect for
8 the mothers of life -- which includes our Mother
9 Earth. We are facing the gospel of bad government
10 that uses power and money over community input and
11 respect. Regarding nuclear waste, Holtec and ELEAC
12 use questionable science and technology to try to shut
13 down our voices. Although we thought, in my small
14 neck of the woods, we should never overlook the
15 untapped natural resources of grass roots working
16 people, picking up their meals on the way to work to
17 make their industries better.

18 Livelihoods -- we need to continue to make
19 alliances with each other, starting with our
20 indigenous relatives that were the first to be
21 poisoned, sacrificed and robbed of their lands in
22 Northwest New Mexico. We need to connect and educate
23 our communities regarding our human sisterhood and
24 brotherhood to avoid the traps of the two-party
25 system, which is keeping us divided. We must develop

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1 a new social and political structure which allows for
2 community-first voices over corporate dollar voices
3 only. I am a product of the 1960's colonial education
4 system -- the real, American history and truth from
5 the indigenous and the African American experience
6 were omitted. The Manifest Destiny code of ethics
7 from a critical point of discussion was never
8 mentioned, questioned or discussed. This colonial
9 code continues to rule in Southeast New Mexico through
10 the economic power of the nuclear waste industries and
11 their paid political representatives. Real change
12 will start from the bottom up and only with education,
13 compassion, generosity, responsibility and the love of
14 each other. But will we be able to overcome the
15 barbarism that we are facing today?

16 Many members of my communities who are
17 documented residents are very fearful and intimidated
18 of being here to speak today. The unstable geology
19 from resource depletion surrounding the Holtec and the
20 WCS sites is now a recurring concern and theme. The
21 ultra-heavy weight of depleted uranium must not be
22 allowed to be stored above these brittle, geological
23 sites such as ELEA is proposing. We are now all
24 uniting as related communities with common interests
25 that value our livelihoods.

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1 MR. CAMERON: And, Noel, could I get you
2 to sum up?

3 MR. MARQUEZ: All of us are hardworking
4 peoples who are tired of being disregarded. Remember,
5 all life is connected. Thank you. And one other
6 thing I want to mention is my friend George Mullen,
7 when we were in Artesia, asked you about who would be
8 in charge of moving the waste after 40 years. And you
9 said the Department of Energy would be in charge. And
10 he asked, why isn't that agency here today to answer
11 about moving this thing? It seems like there's no
12 plan to move it out of New Mexico afterwards if they
13 are not here. Thank you.

14 MR. CAMERON: Okay, thank you.

15 (Applause.)

16 MR. CAMERON: Thank you, Noel. Thank you
17 very much. Elizabeth Padilla? Here is Elizabeth.
18 And then we are going to go, I think it's Lorenzo
19 Velasquez -- you're next.

20 MS. PADILLA: Hello, everybody. Thank you
21 for being here. Can everybody hear me? Okay, that's
22 good. My name is Elizabeth Padilla and I am just a
23 concerned mother. I am concerned and I am strongly
24 opposing this project because of many, many possible
25 risks. Okay, first of all, the health and safety in

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1 transporting this to hundreds of communities across
2 the country -- this -- like we said before, this isn't
3 just about this area, West Texas and New Mexico. It's
4 about the whole country, okay? What about the homes
5 that would be stuck near a railway? The NRC -- well,
6 there has been -- the NRC notes that there is a small
7 amount of emitted radiation that -- or, that will be
8 emitted through these railcars. So if we talk about
9 years of having to be near one of this railways, you
10 know, what about -- what about the families -- the
11 homes near this? What would -- you know, there's
12 obviously going to be a risk on them -- on their
13 health.

14 Also, again, I strongly believe that this
15 is a complete unnecessary risk that shouldn't even be
16 considered. I strongly believe that this kind of
17 waste should be just stored on site. I think that
18 this is the safest way to store it -- have it on site
19 near where it was generated. Also, according to a
20 study by a geophysicist -- and we had already
21 mentioned this before -- at the Southern Methodist
22 University in Dallas. His name is Chung Lu. You
23 spell it C-H-U-N-G-, Lu, L-U. It showed that this
24 area is -- yes, obviously it is sinking, okay? We're
25 having this issue -- there's -- as the result of the

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1 fracking activity of many, many years already. So we
2 also have the Ogallala aquifer near, okay? We can't
3 afford any risks whatsoever. There are many risks in
4 life that can and should be taken. This isn't one of
5 those. It wouldn't be a smart one. If there were to
6 be a leak because of this, or a ground movement or an
7 earthquake and -- you know, we -- the country would be
8 in trouble because of the water supply. As we know,
9 the Ogallala Aquifer is the largest one in the nation.
10 Also, we have tornados, earthquakes, wildfires, sink
11 holes, and also extreme temperatures.

12 I also wanted to mention that halfway
13 between Hobbs -- and I wanted to mention, kind of
14 like, the exact location -- County Road 31, near the
15 proposed site -- has multiple warnings signs already.
16 So I just wanted to bring that up. Also, on U.S. 285,
17 south -- U.S.-285 South also has signs, subject to
18 sinkholes. I also wanted to bring up the four
19 canisters that were designed by Holtec that are --
20 that have design flaws that are storing nuclear waste
21 at the San Onofre waste plant. And apparently there's
22 no solution to this. So I don't know what the deal
23 is. There's no scientific solution, so I don't know
24 about talking about -- you know, having everything
25 under control and having these canisters 100-percent

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1 safe, well, there's four already that are not so safe.

2 Also, my children -- I also believe, that
3 yes, that obviously New Mexico and West Texas have
4 been targeted. And I strongly believe that this is an
5 environmental injustice -- completely. Our health and
6 safety shouldn't have a price tag on good jobs and
7 good salaries. This isn't an economic development
8 project. To me, this is a slap in the face. Straight
9 up -- slap in the face.

10 MR. CAMERON: Elizabeth, could I just get
11 you to sum up for us?

12 MS. PADILLA: Yes, yes. Also, my
13 children, your children, your grandchildren -- our
14 future generations, they did not generate this waste.
15 Okay? So it's not their job -- or they shouldn't have
16 to deal with this burden in the future. My children
17 didn't generate -- yours didn't either. So think
18 about that. Think about that.

19 MR. CAMERON: Thank you. Thank you very
20 much.

21 MS. PADILLA: And also, I do not consent
22 to store high radioactive waste on my backyard, okay?

23 MR. CAMERON: Okay. Thank you, thank you
24 very much, Elizabeth.

25 (Applause.)

1 MR. CAMERON: Go ahead.

2 MR. VELASQUEZ: Good evening. Thank you
3 for allowing me to speak this evening. My name is
4 Lorenzo Velasquez, I am the Emergency Management
5 Director.

6 (Pause.)

7 MR. VELASQUEZ: My name is Lorenzo
8 Velasquez. I am the Emergency Management Director for
9 Lea County. I have been doing this for about 11
10 years. I am also the Flood Plain Manager, Fire
11 Marshall, Environmental Director and I oversee some of
12 the Fire Departments for Lea County -- Maljamar,
13 Monument, and Knowles. With that being said, Maljamar
14 Fire Department will be the primary agency in the
15 event of a fire-related emergency at the holding
16 facility. Hobbs Fire Department will be the primary
17 agency in the event of a medical emergency or
18 hazardous material incidents. Hobbs Fire does have a
19 hazmat team here.

20 The Emergency Management Office of Lea
21 County has also assisted with the development of
22 Holtec International Emergency Operations Plan, which
23 we can proudly say included input from Maljamar Fire,
24 Hobbs Fire Department, Lea County Sheriff's Department
25 and New Mexico State Police. And again, thank you for

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1 allowing me to speak.

2 MR. CAMERON: Thank you. Thank you,
3 Lorenzo. Okay, we are going to go to John. John, I
4 am not sure I can pronounce your last name -- Buchser?

5 (Pause.)

6 MR. CAMERON: Okay. Then we are going to
7 go to Lorraine Villegas, Mike McCleod, Elizabeth
8 Boone, David Rosen and Karen Hadden.

9 MR. BUCHSER: Good evening. My name is
10 John Buchser. I am the Water Issues Chair for the Rio
11 Grande Chapter of the Sierra Club, representing 10,000
12 members here in New Mexico and three counties of West
13 Texas. I keep trying to come back to one of the -- I
14 see as the primary purposes of the NRC reviewing this
15 application, which is to protect public health and
16 safety. And I see Holtec as having applied for a
17 particular solution, which I don't think is quite the
18 right solution. So what I would like to propose to
19 Holtec is that they consider a much more incremental
20 strategy at addressing this highly radioactive waste
21 problem. So I will come back to that as I go.

22 I got -- I have been trying to cover some
23 of the points that over speakers haven't covered. And
24 personally, I really like trains. I've played trains
25 since I was a little kid. And I had a railroad --

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1 basically took over my bedroom. I hardly had any room
2 for me. But I loved my railroad. In terms of any
3 kind of transportation of this waste to what I hope is
4 a long-term disposal site -- and basically, you know,
5 ceasing production of new waste and being able to
6 handle this problem as best we can -- the -- the
7 weight of the trains that -- if you adequately protect
8 it in moving it around -- which is a question of well,
9 we can even do that. But I hope that technology
10 brings us there. The -- most of the rail lines that
11 this travels on will need to be improved considerably.
12 And the amount of investment in the community in this
13 county, in the area, is just hardly anything compared
14 to what we need to invest in our rail lines. So I
15 actually like that particular part of this problem
16 because rail lines are very efficient. We are going
17 to get better rail lines as a part of this solution.
18 However, who is paying for that? Who is monitoring
19 it? Is it the NRC? Is it the DOE? Is it the DOT?
20 It's not clear who is responsible for that whole
21 process.

22 I mentioned -- Representative Scott
23 mentioned two things that I appreciated. One is that
24 he believes that transport safety will be considered
25 as part of this application. I did kind of question

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1 a comment from NRC staff is that the DOT is
2 responsible, not the -- not the NRC. So that's a
3 question I have for the NRC. And then the other is
4 that Representative Scott mentioned that the project
5 should be evaluated based on science. This is a hard
6 problem, and we absolutely need to take that into
7 effect.

8 The -- I think the big challenge for the
9 NRC -- and I think Holtec can work with the NRC to
10 help in this respect -- is that risk minimization of
11 the entire process of handling this waste should be
12 the primary goal. Right now it seems to be a profit-
13 related thing. It can remain a profit-related thing,
14 but also minimizing risk to the public and to our
15 future children. Until a permanent solution is
16 determined, the waste should not move unless at a high
17 risk location. The nearest location to minimize
18 movement should be perhaps nearby reactor sites or
19 military bases.

20 If the public -- if this waste all
21 disappears to Lea County, the public is no longer
22 going to be engaged. We are already having trouble
23 engaging Congress in doing anything -- and this waste
24 is scattered all over. If we put it all here, they
25 are going to forget all about it. We need the sites

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1 in many places in order to ensure that the public is
2 still thinking about the problem. And in summary, we
3 need to stop creating this waste. We shouldn't be
4 reprocessing it. It just creates higher level waste
5 and perpetuates the problem. And I really appreciate
6 that Lea County is pursuing all renewable energy
7 sources. We've got a great energy source, cool
8 nuclear reaction going on -- has been for millions of
9 years -- and will keep going that way. There is a
10 whole lot more jobs available for income for the
11 county, pursuing wind and solar. Thank you very much
12 for your time.

13 (Applause.)

14 MR. CAMERON: Okay, thank you. Thank you,
15 John. Lorraine? Lorraine Villegas? Villegas?

16 MS. VILLEGAS: Hello, welcome to Hobbs.
17 I am Lorraine, I am from Hobbs. I love my little
18 town. This is home. I have a lot of people that I
19 live here -- that I love dearly. And I am not an
20 expert in any of this, or a scientist. But I am
21 concerned about this deal. What concerns me is that
22 those who have posed this project are going to
23 consider that anything might possibly ever go wrong.
24 I know that scientists have said that it's safe and
25 that nothing will ever go wrong -- which can probably

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1 be debated until tomorrow. But that's not my argument
2 tonight.

3 I personally feel -- I personally feel
4 like it is negligent to not consider that something
5 might go wrong with this. If my community is expected
6 to step up and serve our nation by taking all this
7 waste after everyone else has rejected it, then I need
8 this industry and those working with this industry to
9 step up and acknowledge this. The letter that our
10 state representatives have sent you states that
11 numerous good faith efforts have been made to fully
12 educate the general public about the project while
13 addressing concerns. I have been following this
14 project, and I haven't seen anything that covers
15 emergency preparedness whatsoever. If our safety is
16 a priority, like everyone keeps saying, then this
17 should be already considered by now. Economic growth
18 is not as important to me as the quality of life,
19 water, air and land. Lastly --

20 (Applause.)

21 MS. VILLEGAS: Someone earlier said that
22 they believe that the majority of residents here
23 support this, and I am letting you know that that is
24 not true. Thank you.

25 MR. CAMERON: Okay, thank you, Lorraine.

1 And this is Mike McCleod.

2 MR. McLEOD: Good evening, thank you for
3 being here. My name is Mike McCleod and I'm here today
4 on behalf of XCEL Energy.

5 I want to thank you for the opportunity to
6 speak with you today regarding XCEL Energy's
7 perspective on the Holtec International License
8 Application and the importance of a consolidated
9 interim storage solution to the issue of used nuclear
10 fuel.

11 XCEL Energy is headquartered in
12 Minneapolis, Minnesota in and serves more than 3
13 million electric and gas customers in eight states,
14 including New Mexico and Texas.

15 The proposed Holtec facility is located in
16 our service area here in New Mexico and will be a
17 customer of XCEL Energy. Nuclear power generation is
18 an important part of our balanced energy mix which
19 also includes coal, natural gas, and renewable energy.

20 We operate two nuclear plants, the
21 Monticello Nuclear Generating Plant in Monticello,
22 Minnesota, and the Prairie Island Nuclear Plant in Red
23 Wing, Minnesota. These facilities provide 30 percent
24 of the electricity for XCEL's upper Midwest customers.

25 For our company and for the nation,

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1 nuclear energy is reliable, resilient, and a clean
2 source of base-load energy. Today, used nuclear fuel
3 is stored safely in storage pools and dry-casks that
4 are at the Monticello and Prairie Island plants.

5 In 1982, Congress passed the Nuclear Waste
6 Policy Act, which outlined the Department of Energy's
7 responsibility for developing a geological repository
8 for used nuclear fuel.

9 As a result of this statute, the Federal
10 Government made a commitment to accept and permanently
11 store spent fuel beginning in 1998, a commitment that
12 has not been met.

13 We've worked closely with our host
14 communities including the Prairie Island Indian
15 community and our stakeholders for years to encourage
16 the Federal Government to fulfil its obligation to
17 develop a solution for spent nuclear fuel from the
18 nation's reactors and shutdown sites.

19 We strongly support the creation of a
20 permanent repository for spent fuel, but believe that
21 an interim storage facility is an important step
22 towards that development.

23 We support a robust stakeholder engagement
24 process and a thorough regulatory and licensing
25 proceeding for any proposed interim facility,

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1 including the Holtec facility. Such a process will
2 help ensure evolution and safety protections for the
3 facility.

4 We also appreciate that our communities
5 and customers in and around New Mexico and Texas
6 service territories are part of that discussion.

7 We are proud to be part of the Eastern New
8 Mexico community and its pragmatic support of an all-
9 the-above energy policy.

10 A project like the Holtec facility is
11 consistent with our tradition in this state and will
12 support economic development and jobs in the region.
13 If approved, the Holtec project will also promote
14 sound energy policy, not only in New Mexico but in
15 Minnesota and throughout the nation.

16 We look forward to progress as the NRC
17 considers Holtec International's application for a
18 license to construct and operate a consolidated
19 interim storage facility in Lea County New Mexico, as
20 well as a parallel process for a permanent storage
21 solution.

22 Thank you so much for your time.

23 MR. CAMERON: Thank you. Thank you, Mike.
24 Elizabeth Boone? And then we're going to David Rosen
25 and Karen Hadden.

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1 MS. BOONE: Hi, my name's Elizabeth Boone.
2 I'm from Eunice, New Mexico.

3 I debated on whether or not to speak out
4 or ask questions because it might be adverse to my
5 reputation and my career. I might lose clients, but
6 at this point, I just don't care.

7 Okay, so I'm from Eunice and I have three
8 beautiful babies and that is why I'm standing right
9 here, because my babies are going to have grandbabies
10 and they did not create this waste.

11 And they don't deserve to have to deal
12 with the burden of this waste. So, I do not consent
13 and I'll go ahead and say that for your grandbaby as
14 well.

15 Did you know that incident that happened
16 at WIP was supposed to, well, the risk was 1 in
17 200,000 years, but it happened once within 15 years.

18 And you want to tell me that these
19 containers that are going to be shipped on these rail
20 cars could be hit with a bomb and nothing's going to
21 happen? That doesn't even -- I can't even comprehend
22 that sentence.

23 I can tell you this though, I feel that
24 I'm a very good driver, I feel that my husband is a
25 very good driver, but I still buckle my kids in a car

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1 seat. My car is still crash-tested and so is my car
2 seat.

3 So, don't tell me that it's so safe and
4 everything, especially when an incident like that
5 happened at WIP. And this is a different type of
6 waste that you're trying to bring here. It's a higher
7 level than is stored at WCS, I think that needs to be
8 noted.

9 One of the questions that I've had is
10 there was -- one second.

11 So, Don Hancock, the Nuclear Programs
12 Director at the Southwest Research and Information
13 Center was quoted citing this proposal where they were
14 going to move some waste to Yucca Mountain and the
15 proposal did disclose that it could cause 160 to 180
16 latent cancer deaths among transportation workers and
17 up to 100 traffic fatalities.

18 Who's going to disclose this potential
19 risk to the communities? Will it be the NRC? Will
20 it be Holtec? Is there going to be an actual study to
21 disclose these types of potential fatalities?

22 I know that the NRC, you're purposed and
23 you're tasked with protecting public health and safety
24 related to nuclear energy.

25 So, my question is who are you protecting

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1 by transporting this waste across the country from
2 both ends from everywhere, on rail cars, taking it
3 through other communities?

4 How much radiation can be emitted by one
5 of these containers, just one? Do we know the answer
6 to that?

7 Because I think you are charged with an
8 ethical obligation to do your due diligence to see who
9 has already been exposed to this risk where the
10 containers lie now, where the waste is now.

11 So, instead of spending all these billions
12 of dollars to bring it to New Mexico where we already
13 have plenty of waste, why can't these billions of
14 dollars be spent to create a temporary spot for where
15 it is now?

16 I don't think transporting it across the
17 country and exposing so many people to potential risk
18 -- I know it's potential, I know there is a potential
19 that nothing could go wrong, but my baby's not worth
20 that. Your baby shouldn't be worth that.

21 I know you want to talk about gross
22 receipts and franchise tax and property taxes but my
23 babies are priceless.

24 MR. CAMERON: Excuse me, Elizabeth, could
25 you sum up?

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1 MS. BOONE: Yes.

2 And I feel like your baby should be
3 priceless too, and I just want to thank you for your
4 time and I respect everybody's opinions and I just
5 hope you do your due diligence and I hope you do think
6 about the potential risk that could happen.

7 And also, I wanted to note that if you're
8 aware that Dallas County, the City of San Antonio, and
9 Bexar County all have already signed ordinances that
10 say, no, you cannot transport through our city,
11 through our county, through anything.

12 What if we --

13 MR. CAMERON: Elizabeth, I'm going to have
14 to ask you to just stop.

15 MS. BOONE: What if we get all of the
16 intercepting places to do that as well? Who is going
17 to transport it? How are you going to get it here?

18 MR. CAMERON: Okay, thank you very much.

19 MS. BOONE: Thank you.

20 MR. CAMERON: David Rosen? There he is.
21 There you are, thank you.

22 MR. ROSEN: Good evening. I'm David
23 Rosen, I'm a geologist from Midland, Texas. I've been
24 working in the oil business for about 45 years now and
25 so coming here from Midland, I'd like to add our

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1 geological perspective and our county perspective.

2 Our County Commissioners have also talked
3 about the nuclear waste coming through our town
4 because, of course, railroads come through most large
5 towns in West Texas and last year, our County
6 Commissioners passed a resolution that said the
7 citizens of Midland County did not want nuclear waste
8 coming through Midland.

9 So, in addition, I'm delighted that the
10 gentlemen from Minnesota just spoke. It reminded me
11 that some of the oldest, most stable rocks in this
12 country are in the Canadian shield that reaches down
13 into Minnesota.

14 So, when we start thinking about stable
15 rocks, Minnesota's a good place to look. It is.
16 We've seen a lot of subsidence and dissolution in the
17 Permian Basin which Hobbs is part of.

18 We know that there's those huge sinkholes
19 throughout and tomorrow, you'll be in Carlsbad and
20 you'll have a chance to see some subsidence in
21 downtown Carlsbad.

22 I believe wasn't it at the South Y down in
23 Carlsbad where there was significant subsidence. So,
24 if you get a chance, go down and see it for
25 yourselves.

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1 We know that the rail accident that
2 happened in Monohan's on the 20th of April wasn't a
3 small accident. 12 rail cars overturned.

4 And so I don't question the ability of the
5 scientists and people who will be working at Holtec in
6 their capacity for excellence. What I really question
7 is the idea of moving this nuclear material twice.

8 I think that we should be realistic and
9 look at it that if none of us are going to be around
10 in 120 years or 300 years, how can we as people today
11 in the United States guarantee that this will go to a
12 final resting place other than Hobbs, New Mexico? We
13 can't guarantee it.

14 And so as was initially planned with these
15 nuclear waste piles the local areas, there has to be
16 hardened on-site storage. And it was also planned
17 that it would go to a final resting place once. Let's
18 stick with that plan.

19 Thank you.

20 MR. CAMERON: Thank you, David, thank you.
21 And now we have Karen?

22 MS. HADDEN: My name is Karen Hadden and
23 I'm here on behalf of the Sustainable Energy and
24 Economic Development Coalition. And this is our
25 message tonight, we don't want it.

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1 And I'd like to take just a moment, and
2 for those of you that have concerns about this project
3 or who are out-and-out opposed, would please stand?

4 I just want for the NRC and for any media
5 to know that this is the nature of the real concerns
6 in the communities, in the communities that would get
7 dumped on, that would be targeted.

8 Thank you so much. And in the communities
9 that would be along transport routes throughout the
10 country.

11 I know a woman who spends her whole days
12 working at a museum and right outside the back of the
13 museum, probably 30 feet from her, is a train going
14 by; almost all day long trains are going by. She goes
15 home at night and she's about two blocks from the rail
16 line.

17 These things are having routine emissions
18 going down the road and while the NRC says those are
19 small, it sure adds up when you're around it all the
20 time, and this is just not right.

21 And this license application should not be
22 proceeding without the designation of the transport
23 routes that would be used. That's criminal.

24 So, I don't know how anybody in any way
25 can say you're here to find out if this is safe. We

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1 know that it's not.

2 Studies done for Yucca Mountain determine
3 that there would be at least 1 train accident per
4 10,000 shipments, and it's hard to know how many
5 shipments there would be because this license
6 application doesn't even have accurate information.

7 It contradicts itself in the total volume
8 of waste that would be brought in. As Kevin Kamps
9 brought out earlier, it looks like it would be 173,000
10 tons.

11 This is a huge number of shipments, and
12 let's talk about what would be on those rail cars and
13 what we're really talking about here.

14 This is not little, this is waste from 100
15 nuclear reactors or more and it would be coming down
16 the rails and each one of the rail cars with a
17 canister in it would have as much plutonium contained
18 in it as was in the bomb dropped on Nagasaki, each
19 one.

20 We're not saying that's in bomb form, but
21 that's an incredible amount of plutonium. There's
22 uranium, most of the uranium in the fuel rods is still
23 in the fuel rods.

24 We call it spent but that's an oxymoron
25 because there's nothing spent about it. It's a

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1 million times more reactive than when the fuel rods
2 were loaded into the reactors. We know this.

3 We also know from scientific reports that
4 if a person is three feet away from this waste, and if
5 the waste is not shielded, it will be immediately
6 incapacitated and die within a week.

7 There's nothing safe about this. No one
8 in this country wants this waste, that's why there's
9 a problem. The East Coast doesn't want it, the West
10 Coast doesn't want it.

11 90 of the reactors are on the East Coast,
12 and in 1984, when the National Academy of Sciences did
13 their geologic study for a permanent repository, they
14 looked at 20 sites.

15 The worst one is on the list at the bottom
16 and that included Yucca Mountain. It was at the
17 bottom of the list. Why did it get chosen? Politics
18 and what the industry thought they can get away with,
19 who they thought they can force it on.

20 And they tried and Nevada fought, and they
21 fought like hell. Just about every place in the
22 country when you propose anything nuclear, people
23 fight like hell and there's a reason why. It is not
24 safe.

25 Now, what is the logic in shipping the

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1 waste from 90 nuclear reactors, so many thousands of
2 miles across the country?

3 We've got that same National Academy of
4 Sciences study that looked at geology and found that
5 the best geology is igneous rock and the best sites
6 were on the East Coast, not all that far from the
7 White House.

8 So, you know, you could reduce the number
9 of miles traveled and you could send it there, and not
10 put this community, this region, at risk.

11 So, there's been several big issues raised
12 in terms of safety, wildfires, jets that might crash
13 from military training, train accidents, et cetera.

14 All three of those were in the news from
15 KWES 9 tonight and all three of them are a problem at
16 this moment. Wildfires are burning in Ruidoso, we've
17 had wildfires -- don't come over here, I'll watch you,
18 please.

19 MR. CAMERON: You got the message?

20 MS. HADDEN: Yes, yes, you can back up,
21 I'll wrap up. Give me a minute. So, wildfires have
22 been burning in Ruidoso, they continue. Wildfires
23 have swept past the WCS site right outside the border.

24 Military training, there was a military
25 jet that had to do an emergency landing today. This

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1 is way too close to existing Air Force bases and pilot
2 training.

3 Train accidents, you've heard about two
4 accidents just today. The railroad engineers that
5 I've talked with recently say that the tracks in south
6 eastern New Mexico are in horrible shape.

7 They're rated for 143 tons per car and
8 these loaded casks would be about 196,000 tons, about
9 33 percent more than that or even greater depending on
10 what you've got. So, that's a safety factor.

11 And they've done testing for a train at 60
12 miles per hour into a barrier. Already, an accident
13 in West Texas had two trains, 65 miles per hour head
14 on.

15 That exceeds what's ever been tested.
16 Most of that testing is computer modeling and not
17 full-scale testing and not real scenarios, just
18 computer modeling.

19 I will add one thing, that the economic
20 development portion of the license application should
21 include health, safe ways to improve the economy.

22 This is an energy county, how about
23 developing wind like the 400, 600 megawatt utility-
24 scale solo projects going on in Texas, where this is
25 --

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1 MR. CAMERON: Karen, I'm going to have to
2 ask you to close. Thank you.

3 MS. HADDEN: Thank you.

4 MR. CAMERON: Okay, Carol Cowland, Dan
5 Lorimer, Cynthia Brackney, Patricia Cardona, and Fred
6 Ortiz. And this is Carol coming down.

7 MS. LAMM: I have very little to say
8 because so much has already been said and better than
9 I would say it.

10 I only want to say how much I appreciate
11 what some of you have said and I resent the fact that
12 so many politicians have already -- it's a foregone
13 conclusion with them.

14 And I find that suspect frankly, but what
15 I do want to say is I'm a mother, a grandmother, and
16 a great-grandmother.

17 And my descendants, many of them live in
18 Hobbs and so it is very important to me to have a safe
19 place for my loved ones and yours. Thank you.

20 MR. CAMERON: Okay, Dan Lorimer?

21 MR. LORIMER: Thank you, Commissioners and
22 Staff. I think I would also like to thank President
23 Richard Nixon for signing -- I would like to thank the
24 Commissioners and the Staff, I would like to thank
25 President Richard Nixon for signing the National

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1 Environmental Policy Act, without which I doubt
2 seriously any of us would be here tonight.

3 My name is Dan Lorimer, I'm a 40-year
4 resident of southern New Mexico, living outside of the
5 town of Truth or Consequences. And consequences are
6 part of the reason that we're all here tonight.

7 If this permit application is approved, it
8 would set in motion a very, very risky process of
9 loading, transporting, and unloading this potential
10 10,000-plus highly radioactive fuel rods.

11 It seems to me obvious, and I know this
12 has been brought up before, that a full review of
13 site-specific issues at the closed and the
14 operating/generating facilities, that study would need
15 to look closely at this high-risk phase of
16 consolidated storage and it should be included in the
17 EIS.

18 Also, you've heard a lot about the
19 transportation issues including weight capacity
20 limitations as well as public health issues, and so
21 this should obviously be included in the scoping for
22 this particular project.

23 At a more local level, I want to reiterate
24 the concerns that were previously expressed by Steve
25 and others about the Loose Study from Southern

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1 Methodist University that looked at significant
2 geologic instability, due very likely to extensive oil
3 and gas development in the Permian Basin.

4 And that study looks at a large area that
5 fringes on where we stand this evening, and the
6 changes it described are significant. Inches a year,
7 that sounds like a little bit over a long time but in
8 geologic terms, inches a year is an explosion of
9 activity.

10 This study describes that explosion that
11 geologic land surface subsidence and uplift phenomenon
12 that's associated with the development of oil and gas
13 in the Permian.

14 I think a close look at those concerns
15 that are raised by that study is essential in any kind
16 of scoping analysis for the evolution impact statement
17 for this project. Thanks.

18 MR. CAMERON: Thank you, Dan, thank you
19 very much. Cynthia? Patricia Cardona?

20 MS. CARDONA: Hello, ladies and gentlemen,
21 and I know that the NRC Staff has a very difficult job
22 ahead of them. I know the audience is probably very
23 tired at this point of hearing about everything.

24 However, I think this is an important
25 subject so we can all go through a little bit of pain

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1 for a very important subject.

2 I come from an area and I was born in an
3 area near Yucca Mountain. I'm a downwinder from the
4 Nevada site for testing of the atom bomb.

5 Yucca Mountain, the first proposal for a
6 permanent facility was turned down by the residents.
7 They fought it, they fought Ward Valley, because they
8 tried again in Ward Valley in the Mojave Desert.

9 Yucca Mountain I doubt will ever be built.
10 The Nevada aristocracy, so to speak, does not want it
11 there and that's really the casino owners. So, I
12 think we need to get realistic about what is going to
13 happen in all of this.

14 I have worked here in New Mexico as a
15 volunteer, I came here to retire. I've worked on
16 consumer issues relating to utilities and I've worked
17 on legislative issues related to environmental issues.

18 I know many of the legislators here. You
19 have some very good legislators but sometimes I have
20 big disagreements with them; this is one of them.

21 I think the EIS report is very important
22 and the elements in the EIS report need to be very
23 clearly defined. First of all, what does safe mean?

24 Safe to me means zero radiation, safe to
25 me means no risk whatsoever. So, the terms that you

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1 use, safe, are not something that I feel, and I think
2 many people feel, are accurate in anything that has
3 been presented at any time.

4 Why is Yucca Mountain not a permanent
5 repository?

6 The other thing is working in the
7 legislature, we just took on, and why this should
8 affected all New Mexicans is the fact that whatever
9 happens in one part of New Mexico affects the other
10 part of New Mexico.

11 Carlsbad brought economic development for
12 a brine well, low-level waste. Well, guess what? The
13 company that did the Economic Development went
14 bankrupt and the State of New Mexico, all the
15 taxpayers, are paying a \$30 million bill.

16 So, all of us are taking on that. Why?
17 Because it involves people's lives and we've got to
18 assure that people are safe. So, New Mexico, all of
19 New Mexico, is affected by what goes on here.

20 Who pays the bills for failures? Is it
21 going to be the Federal Government? That's what has
22 been presented to us.

23 The Federal Government doesn't even have
24 the money to cover the environmental disasters related
25 to uranium. So, why, how, do we think we're going to

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1 be different? Who is going to pay for any personal
2 injury or property damage along the rail lines?

3 Insurance does not pay for that. Is the
4 Federal Government going to pay for it?

5 Is the Federal Government going to give
6 full market value to whatever is lost, full market
7 value to all the businesses that are going to be
8 affected virtually by accident or any incident?

9 If the State of New Mexico has to close
10 down all the oil wells in the Permian Basin, are all
11 of the oil companies getting full market value for
12 their losses? Think about who pays the bills.

13 It's all of us that are going to pay the
14 bills. Nuclear is too expensive, we can't afford it;
15 this is not economic development. We can't afford the
16 health bills that are going to be involved.

17 We have the highest cancer rate in this
18 area of New Mexico and in your EIS I hope you include
19 all of the kinds of cancers that are in this area as
20 well as the kinds of bills that are being paid out and
21 the birth defects that are occurring generationally.

22 MR. CAMERON: Thank you, thank you very
23 much.

24 (Applause.)

25 Fred, Fred Ortiz, and then Mary Beth and

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1 then Philip Valdez, Susan Schurrman, Leona Morgan,
2 Cody Skma, Janet Greenwald, and Gordon Dyer. And this
3 is Fred Ortiz...

4 MR. ORTIZ: Yes, my name is Fred Ortiz,
5 I'm from Eunice and I'm retired. I recognize some of
6 you. Listen, I'm a layperson, I don't understand a
7 whole lot about this stuff.

8 So, radioactive materials are dangerous.
9 And I've been in Eunice, looking around at what we
10 have around there, URENCO, waste disposal just outside
11 on the Texas border.

12 I sit back and just like a lot of you
13 folks who say, well, what did we do to deserve to be
14 the dumping ground for everybody? That's what I feel
15 like.

16 I mentioned the radioactivity of this
17 stuff. I believe in Murphy's Law: if it can go wrong,
18 it will go wrong. I feel railroaded in what's
19 happening but I do believe in democracy.

20 You gentlemen here expressed your
21 opinions, that's great; the other people have
22 expressed their opinions.

23 I think probably the best answer here,
24 guys, is for us to somehow if we could get a vote for
25 the state, we're talking about a state here. Or even

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1 better, for Lea County or any county, let's take a
2 vote. It's better to be the state.

3 I believe in states' rights; states'
4 rights are more important than the Federal, in this
5 case especially. If somehow you get a mandate from
6 the state and you really have the opinion of the
7 people, then I would go with it.

8 But this railroad, what I'm calling a
9 railroad, is not the way. You're going to have
10 dissension here. People aren't going to be happy but
11 I think if you had an election of some kind that could
12 get a mandate from the whole state, then very little
13 could be argued.

14 I think everyone will do their best on the
15 safety part, but what's really missing here is a
16 mandate from the people that are the most affected
17 which is us.

18 (Applause.)

19 MR. CAMERON: Thank you, Mr. Ortiz. Mary
20 Beth?

21 MS. BRANGAN: I'm Mary Beth Brangan from
22 the Ecological Options Network and we're based in
23 California.

24 And my partner and I are here because
25 we're very, very concerned about this and I want to

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1 assure you there are other Californians who do not
2 want to send their radioactive waste here.

3 We don't want to do that for a great many
4 reasons but the first one is its environmental racism
5 and we really object to the concept of putting anymore
6 of the burden of the nation's radioactivity on your
7 communities.

8 (Applause.)

9 Also, I want to talk about the
10 transportation risks which I know everybody has spoken
11 about, but I can't resist.

12 Every one of these canisters that would be
13 coming would contain roughly as much cesium alone,
14 that's just one isotope, as was contained, as was
15 released in the Chernobyl accident. Every canister.

16 And so just keeping that in mind, I was
17 looking at just three years from 2013 to 2016 of oil
18 train accidents which might give us an idea about how
19 heavy loads fare on our nation's railways.

20 In 2013, there were 11,636 accidents, 8740
21 injuries, and 700 fatalities, but no Chernobyl
22 releases. In 2014, 12,226 accidents, 8788 injuries,
23 and 765 fatalities. In 2015, 11,814 accidents, 9087
24 injuries, 749 fatalities.

25 2016 -- and I'm sure you're going to be

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1 happy that I only looked at this many years -- 10,927
2 accidents, 8050 injuries, and 805 fatalities. This is
3 not a good idea to move this waste twice.

4 We've got to put all those resources
5 instead into finding a suitable repository, beefing up
6 the canisters and putting them into thicker containers
7 so we buy ourselves more time at each location where
8 the radioactive waste is already, and seriously
9 develop the hardened on-site storage that has been
10 spoken about.

11 Thank you.

12 MR. CAMERON: Okay, thank you. Thank you,
13 Mary Beth.

14 (Applause.)

15 It's Phillip Valdez. Here's Phillip.

16 MR. VALDEZ: Hello, ladies and gentlemen,
17 my name is Philip Valdez. I was born and raised here
18 in Hobbs and I'm simply a concerned citizen.

19 First of all, I would like to thank you
20 for this opportunity. I'd like to thank -- oh, sorry.
21 I would like to thank everybody here that came out and
22 those whose left for coming out for such an important
23 issue.

24 Most of my concerns are going to be echoes
25 but one of the main ones I have is for Meetings like

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1 this, I'm not exactly sure -- it was on the mailing
2 Meeting, where someone discussed how past proposals
3 like this have gotten 22 to 23 town hall Meetings in
4 various different communities.

5 And my concern is the amount that this
6 proposal with only four, to me, it just is not enough.
7 It's not enough. More people need to be aware of this
8 situation in Hobbs, Carlsbad, Lea County, New Mexico,
9 and the United States.

10 Because it's not just Lea County residents
11 who are going to be affected by this. It's going to
12 be citizens of this country, through the
13 transportation, that all have the right to have an
14 input on such an important topic.

15 So, that's a question that I would ask is
16 why so few Meetings? The input of the population or
17 the citizens of these communities is a big factor in
18 determining the proposal approval.

19 And the amount of people that are here
20 tonight left and the amount of people that were here
21 in total tonight is such a small percentage of the
22 amount of input that would be expressed over a subject
23 like this.

24 Another point that I would like to bring
25 up is an echo again to the transportation.

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1 I work in the oil field and I regularly
2 see the results of overuse of the infrastructures,
3 just on the highway system, the weight of the oil
4 tankers and traffic that goes through all day, every
5 day around here and the effects that it has on the
6 road.

7 Now, I would say this is going to be 10
8 times that, 100 times that on the railroad
9 infrastructure, something to think about.

10 You can't promise somebody no accidents or
11 complete safety because you're not even promised
12 tomorrow. So, how can somebody promise me that for
13 100 years, 120 years, that this stuff is going to be
14 safe?

15 Another thing is somebody had mentioned
16 earlier that the canisters have been in use or you
17 have been using this technology for the past 32 years.

18 That's only a quarter of the proposed 100-
19 year temporary site that they're planning. So how can
20 we evaluate the safety on such a short term?

21 One other point I'd like to make is that
22 just 20 miles west of the proposed site, there was a
23 sink hole off of 380. It was unpredictable.

24 The H2S in there is a corrosive gas that
25 we deal with. I'm not sure if the inventors of this

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1 technology in these transportation casks or storage
2 facilities have taken that into consideration.

3 I just do not want this in town, in my
4 community where my family and the people that I love
5 stay. And I just would like to you guys to take that
6 into consideration and I wanted to close with the one
7 quote.

8 A friend of mine that had to leave wanted
9 me to quote. He wasn't able to come speak but it says
10 when the last tree is cut down, the last fish is
11 eaten, the last stream is poisoned, you will then
12 realize that you cannot eat money.

13 Thank you.

14 (Applause.)

15 MR. CAMERON: Thank you very much. And
16 this is Susan, Susan Schurrman.

17 MS. SCHURRMAN: Thank you for letting me
18 speak even though it's after 10:00 p.m.

19 My name is Susan Schurrman, I have lived
20 in New Mexico for 25 years, and I am a cancer
21 survivor. And I do not consent to bring high-level
22 radioactive waste to New Mexico.

23 Shame on Holtec International for
24 suggesting that New Mexico be the national nuclear
25 waste dump. Shame on Eddy-Lea Energy Alliance for

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1 trying to bring high-level radioactive waste here to
2 our state.

3 Shame on the NRC for even considering
4 bringing all the nation's spent fuel rods to a state
5 that has already suffered so much from the hands of
6 the nuclear industry.

7 I look around at the faces of the people,
8 including me, who live here. I don't see it written
9 anywhere on our foreheads: Dump deadly waste here.

10 The world's first bomb was created here
11 and now plutonium is in the water downstream from Los
12 Alamos. The world's first atomic bomb was dropped
13 here and now generations of downwinders from the
14 Trinity site suffer from thyroid cancer.

15 Hundreds of abandoned uranium mines
16 continue to plague Indian Country, tailings piles
17 surround Church Rock. Lung cancer has killed so many
18 Navajo Dine miners and their families.

19 The Church Rock spill in '79 was the third
20 worst nuclear accident in history and has never been
21 fully cleaned up. The mixed race land fair at Sandia
22 National Labs is a radioactive dump that could explode
23 at any time after it rains.

24 The raised isolation pilot plant had a
25 radioactive release accident after just 15 years of

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1 operation, and over 2000 nuclear warheads were being
2 secretly stored at Kirtland Air Force Base on the edge
3 of Albuquerque, the state's largest city.

4 It is astonishing that New Mexico is being
5 considered, that New Mexicans are being asked yet
6 again to be the national sacrifice zone for
7 radioactive fuel rods that will remain deadly for tens
8 of thousands of years.

9 If this waste is as safe as Holtec and
10 ALEA claim, then why can't it stay where it is?

11 (Applause.)

12 Why can't it stay in the communities which
13 have enjoyed nuclear-power-generated electricity?
14 Because it's not safe, it's deadly. It's a ticking
15 time bomb.

16 How do we treat a ticking time bomb? Do
17 we move it? No, it's too risky to move it. We try to
18 reduce the risk where it is.

19 Nuclear waste is something we just don't
20 know what to do with, so the first thing we must do is
21 to stop making it.

22 (Applause.)

23 We need to focus our brightest and best
24 minds and research dollars on finding ways to make
25 nuclear waste less dangerous to the communities where

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1 nuclear power-plants are located.

2 A few Holtec boosters see green but I see
3 red. They see dollar signs but I see dead bodies.
4 Shame on the nuclear industry for preying on
5 vulnerable state where good-paying jobs with good
6 benefits are hard to find.

7 Shame on Holtec, ALEA, and the NRC for
8 tempting hard-working families to believe the
9 propaganda that they have to poison the land, the
10 water and their community in order to provide for
11 their families.

12 New Mexico should instead become the hub,
13 the Silicon Valley of a green sustainable economy,
14 developing technology to clean up radioactive spills
15 and uranium mines.

16 That would be an honorable legacy for our
17 children and grandchildren, who would be proud of the
18 decisions we make here today, instead of ashamed.
19 Thank you.

20 (Applause.)

21 MR. CAMERON: Thank you, Susan. And
22 Leona, Leona Morgan? Cody? Oh, this is Leona right
23 here, okay.

24 MS. MORGAN: Good evening.

25 (Native language spoken.)

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1 First of all, I'd like to recognize that
2 we're on stolen lands. Right now, we are here at the
3 -- I guess I'd like to thank the Apache and the
4 Comanche for allowing us to be -- well, technically,
5 they didn't allow us to be on these lands. These
6 lands were stolen, like I said.

7 So, I'd like to recognize the Mescalero
8 Apache and the Comanche folks whose lands we are on
9 now. And I am Dineh, so I come from the Navajo nation
10 which is on the other side of the state.

11 But the things I want to talk about have
12 to do with indigenous rights across the nation. You
13 guys probably heard some of my comments on the phone
14 last week and so I'd just like to remind everybody
15 here it's a little bit of history repeating itself.

16 I mean, we had this idea of consent-based
17 citing, which is kind of silly. I know it was tried
18 before with the monitored retrievable storage idea.

19 First of all, I think the process is
20 faulty to begin with. What is considered consent-
21 based siting is really a fallacy, it's just not true.

22 When you guys, DOE, did their Public
23 Comment Meetings for consent-based siting, there was
24 only five Meetings held nationally. And in Phoenix,
25 I asked, well, who consented to bringing the waste to

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1 New Mexico?

2 And the response I got was an application
3 was received by the Eddy-Lea Energy Alliance, not the
4 community folks, not the people who actually live here
5 or the original inhabitants of this land.

6 And so I'd like to just recognize that
7 there has been 11 letters sent by the NRC to Federally
8 recognize tribes, including my tribe, which is the
9 Navajo nation. However, I think the NRC is
10 overlooking several steps in the process.

11 Right now, I'm not sure, how many of you
12 are aware of the United Nations Declaration on the
13 Rights of Indigenous Peoples from the NRC or any of
14 the regulating Agencies?

15 Or, for that matter, any of the elected
16 officials here, how many of you know about this
17 document called the United Nations Declaration on the
18 Rights of Indigenous Peoples?

19 Okay, let the record show there is no
20 hands going up. How about the -- so, this was passed
21 in 2008 and how many of you are aware of the
22 Organization of American States' Declaration on the
23 Rights of Indigenous Peoples?

24 Okay, again, nobody's hands went up. This
25 was passed in 2016 and so I'd like to read directly

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1 from this Declaration, Article 19, the Right to
2 Protection of a Healthy Environment.

3 Number 3, indigenous peoples are entitled
4 to be protected against the introduction of
5 abandonment, dispersion, transit, indiscriminate use
6 or deposit of any harmful substance that could
7 negatively affect indigenous communities' lands,
8 territories, and resources.

9 Okay, now I want to skip down to Article
10 22, Indigenous Law and Jurisdiction. The indigenous
11 law and legal systems shall be recognized and
12 respected by the national, regional, and international
13 legal systems.

14 And so this is from the OAS declaration on
15 the rights of indigenous peoples. And the reason I'm
16 reading this is because it cites that the Federal
17 Government needs to recognize tribal law.

18 And so, again, like I stated earlier, only
19 11 letters were sent out, but there's over 560
20 federally-recognized tribes, all of which have rights
21 to the protection of their lands, secret places,
22 cultural resources, and whatever laws that they have
23 in place.

24 Specifically with my tribe, the Navajo
25 nation, we had a law against the transport of

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1 radioactive materials through our lands.

2 So, if this transport should occur, it's
3 directly violating our tribe's laws that were put in
4 place because of all the history and the health
5 impacts of the horrendous things that the United
6 States did, not just going back to the genocide of our
7 people but more recently, the exploitation of uranium
8 on our lands.

9 And so we have a law against uranium
10 mining and we have a law against transport because
11 we've already suffered the impacts from these
12 industries for United States imperialism and
13 capitalism. And so that did not benefit our people.

14 We wrote these laws for the protection of
15 our future generations, however, they are not being
16 respected here.

17 MR. CAMERON: Leona, I'm going to have to
18 ask you to sum up now, please.

19 MS. MORGAN: Okay, I'll finish up.

20 And so with that, I'd also like to remind
21 you that under the United Nations Declaration on the
22 Rights of Indigenous Peoples, there also is a demand
23 for free prior and informed consent, which this letter
24 undermines drastically.

25 First of all, the letter was only sent to

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1 11 tribes and it's inviting them to participate in
2 tribal consultation but sending this letter not only
3 just to the 11 tribes is inadequate because the
4 impacts from this facility will impact hundreds of
5 tribes across the nation and their sacred lands and
6 our rights to protect our environment and our
7 communities.

8 So, I ask that all of you consider and put
9 in the environmental report all of the impacts that
10 would happen on tribal lands to our sacred places into
11 our communities anywhere the transport would occur.
12 Thank you.

13 MR. CAMERON: Okay, thank you, Leona,
14 thank you for bringing the tribal perspective to us.
15 And thank you, Cody?

16 MR. SKMA: Hello, my name is Cody Skma, I
17 would like to thank Leona and everyone else tonight
18 who has opposed this nuclear dump. And I heard about
19 this issue about two years ago.

20 I'm from Albuquerque, New Mexico and
21 whenever I first heard about it, I was really blown
22 away because I read about the history in school and
23 how our Government has tried to dump this waste on
24 other communities, specifically tribes, throughout the
25 country.

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1 The Nuclear Waste Policy Act will require
2 a nuclear waste negotiator to go out and try to find
3 a place to put this waste. And what they did was they
4 selected a bunch of tribes, mostly tribes actually.

5 And this was environmental racism and
6 what's happening now is also textbook environmental
7 racism. New Mexico has a very high Hispanic
8 population.

9 There's a lot of tribes out here, there's
10 a lot of native people, and sometimes, white people
11 try to take advantage of it and it's really messed up.
12 And that's what environmental racism is.

13 For example, the Energy Alliance, they're
14 all white. So, in your environmental impact
15 statement, you need to include a section on
16 environmental justice.

17 And one part of environmental justice is
18 including people of color in the decision-making
19 process so you need to do that and figure out why the
20 Energy Alliance, an all-white group, is being allowed
21 to do this.

22 Another point I would like to make is this
23 is a national issue. People throughout the nation are
24 at risk because this waste isn't ready to be
25 transported, and that should be reason enough to stop.

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1 Holtec wants to benefit from this by making the cask,
2 which is not okay.

3 They should not be allowed to benefit just
4 so a band-aid could be put on this situation. And
5 it's not going to happen, they're not going to dump on
6 New Mexico.

7 (Applause.)

8 We've been dumped on for far too long and
9 it's time to stop. And I hope the NRC is listening,
10 I hope you all are, I really hope you are because I've
11 heard mostly opposition tonight.

12 I've mostly heard opposition on that
13 Wednesday call. I'll hear opposition all tomorrow.
14 The people in opposition -- or the people trying to
15 bring it here, they're all for the money, right?

16 They're here because they're trying to
17 make money off of it and sometimes, they convince
18 other people that money is good, but this is toxic
19 money.

20 MR. CAMERON: Cody, could you just sum up
21 for us?

22 MR. SKMA: Sure. Let's not let this
23 happen. Don't let them dump on us.

24 (Applause.)

25 MR. CAMERON: Janet Greenwald, Gordon

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1 Dyer, and John Heaton. Janet Greenwald?

2 MS. GREENWALD: Hi, I'm Janet Greenwald
3 and I'm a Co-Coordinator of Citizens for Alternatives
4 to Radioactive Dumping, an organization that was
5 formed 39 years ago by people in Southeastern New
6 Mexico who were concerned about nuclear projects on
7 their lives.

8 So, I spent a lot of years in a community
9 downwind and also a bedroom community for Los Alamos,
10 and that's been going on for 60-some years.

11 And so I thought I'd give you a little
12 report since you're considering here being a downwind
13 and bedroom community for a nuclear facility. I
14 thought I would give you a little report on how things
15 are going in my community.

16 Well, if you're a farmer -- and always in
17 low voices, we don't talk about this out loud --
18 you're going to be talking about how dry things are.
19 Because over a decade ago, a fire swept over Los
20 Alamos National Laboratories.

21 Even though 1000 firefighters were
22 fighting the fire, it still swept over and at that
23 time, cobs were contaminated, cobalt in the plums,
24 cesium in the broccoli, and so forth.

25 We don't really talk about this out loud

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1 because the Embudo Valley, where this community is, is
2 the organic breadbasket of New Mexico.

3 And so another thing you might be talking
4 about real quietly is that up in the mountains, at the
5 head waters, at the Embudo River and the Rio Grande,
6 there's a mountain lake that had so much cesium on the
7 shore that it's practically a superfund site.

8 And you talk very low about you're hoping
9 that your customers, if you're a wine grower or you've
10 got a little organic farm, that they don't find out
11 about that. It might be bad for business, right?

12 And then if you're pregnant, if you're a
13 pregnant couple and you're having some problems, then
14 at the Espanola Hospital, where you're going to have
15 the baby, you're going to have to look through a
16 little catalog of all the babies that have been born
17 deformed at the hospital, badly deformed.

18 And you'll have to do that because you'll
19 have to tell the Staff if your baby is being -- if
20 your baby is badly deformed, do you want to hold it
21 before it gets taken away to wherever those babies go?
22 Or do you just want to let it go? That's why you have
23 to look through the catalog.

24 So then if you're a kid and you're going
25 to the library in my community, you have to pass a

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1 sign on the door and the sign on the door says if
2 you're a nuclear worker, you can come to a support
3 group at 9:00 a.m. on Saturday morning.

4 You can get emotional support therapy and
5 also, you can get support in going through all the red
6 tape you have to go through in order to get any
7 compensation for your cancer, for your neurological
8 diseases.

9 So, that's my report from my downwind
10 little bedroom community and I hope to God you never
11 have to go through that here. Thank you.

12 MR. CAMERON: Thank you, thank you very
13 much. And Mr. Dyer? Well, let's go to John Heaton.
14 Oh, is this Mr. Dyer? I'm sorry, John. Mr. Dyer?

15 MR. DYER: Hi, I'm Gordon Dyer and I live
16 here in Hobbs. I'll try and be brief, it's late.
17 There are a couple of points that I'd like to make.
18 The better ones have already been made but a couple of
19 things with regards to the physics of this.

20 I don't think people have realized just
21 how poisonous plutonium is. Ignoring the
22 radioactivity, it's just about the most poisonous
23 stuff on the planet.

24 I don't know if anybody remembers that
25 Russian emigre who was assassinated a few years ago in

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1 London. It was one grain of plutonium that killed
2 him. That one grain was enough to kill ten men.

3 So the radioactivity is definitely a valid
4 point, but it is very, very poisonous in and of
5 itself.

6 The other thing, I don't know if anybody's
7 touched on this or not before I came in, but this
8 stuff is not spent in the sense that it has no
9 radioactivity.

10 If you bring more and more of the
11 radioactivity material together, it has nuclear
12 accelerate properties. No, it's not going to explode,
13 I don't mean that.

14 But I'm wondering if people have
15 considered is it such a wise idea to bring this much
16 into one location? It can only get hotter and hotter
17 the more you bring into one location.

18 The other thing is, and you may not be
19 familiar with this but I've lived here for a while,
20 one of the points that people, proponents of this
21 idea, are that we need the economic stimulation.

22 I don't see it that way at all. I drive
23 around Hobbs all the time, I see plates from all over
24 the nation coming here for work. I think our economy
25 is going to do just fine in the future myself.

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1 And the other thing is that I talked to a
2 lot of people and I was talking with this med-level
3 oil managerial person, and apparently, the joke among
4 the oil industry is if there's a contamination with
5 this thing, not even God himself has enough money to
6 compensate the oil industry for the lawsuit.

7 So I just wondered. If I think about
8 this, I think about Yucca Mountain, I realize they're
9 opposed to it, but my understanding is there isn't
10 even a goat that lives out there.

11 There are a lot of people who live here,
12 there's a lot of activity in the oil business here and
13 just ignoring the human element, is it such a wise
14 idea to risk endangering that? That's all I have to
15 say.

16 (Applause.)

17 MR. CAMERON: Thank you, Mr. Dyer.

18 MR. HEATON: Thank you very much, NRC, for
19 being here and to listen to people in this area and
20 their concerns.

21 I know your eyes are glazing over at this
22 time, but I felt like there were just a number of
23 statements made that are not only incorrect, they're
24 not factual.

25 And I respect everybody's right to their

1 opinion; I don't think everybody has a right to their
2 own facts. And so there are a lot of issues.

3 First of all, let me talk to you a little
4 bit about who the Eddy-Lea Energy Alliance is. We're
5 a group that's made up of appointees from Hobbs, from
6 Carlsbad, from Lea County, and from Eddy County.

7 And what we do and where we go is endorsed
8 by our members and even though we may be all white, so
9 to speak, I think we all have a lot of other kinds of
10 DNA in us.

11 But the point is that the endorsement by
12 the Councils, the Commissions, are by people that, for
13 the most part, have a variety of color on those
14 Commissions and those Boards, or Commission and
15 Councils, and they have a variety of genders on them
16 as well.

17 So, I think to assail the Eddy-Lea
18 Alliance about that is improper.

19 The other point is that it formed to
20 create to bid on what was called the Global Nuclear
21 Energy Project that was put out in the mid-2000s.

22 And the Eddy-Lea Alliance was formed in
23 2006 and the GNET project fell by the wayside, even
24 though this site was a finalist. It had been
25 characterized very carefully.

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1 And so subsequent to that, the Alliance
2 was more or less dormant until the Blue Ribbon
3 Commission on America's Nuclear Future came about.
4 And one of their centerpiece recommendations, and it
5 became very clear early that that was going to be a
6 recommendation of theirs, was consolidated interim
7 storage.

8 And so the question is why? Why was the
9 Blue Ribbon Commission focused on that? They were
10 focused on it because the nuclear power-plants are all
11 located on rivers, on streams, on lakes, on
12 oceanfronts, and in very seismically sensitive areas
13 across the country.

14 In fact, a third of the U.S. population,
15 lives within 50 miles of a nuclear power-plant, and
16 they are in very sensitive areas across the country.

17 And so when they were exploring this and
18 risk-benefit analyses and all the things they did,
19 they said consolidated interim storage is a very, very
20 important component to dealing with the back-end of
21 the fuel cycle, period.

22 Just from a total risk perspective, that's
23 what they were saying and that's what they believed.
24 We had what we believe was an ideal site. It was dry,
25 it was seismically stable, it was 35 miles from any

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1 population.

2 It was just a great site and it was
3 accepted by the GNET project as well and heavily
4 characterized.

5 So, the other thing that the Blue Ribbon
6 Commission was focused on is the fact that almost all
7 the power-plants had packed fuel pools. They were
8 having difficulty in managing the additional fuel that
9 was being collected and what to do with it.

10 And so power-plants across the country,
11 we've heard from XCEL and they have that problem at
12 one of their sites. They're having difficulty finding
13 a place to put their fuel, and so that was an issue
14 across the country.

15 And so fuel pools need to be unpacked and
16 there needs to be places or a place for this fuel to
17 go. And it was a risk-based analysis, concept, and
18 not that they were picking on us or picking on anybody
19 else, but the point is that we have what I call an
20 area of the country with a very high nuclear IQ.

21 Our citizens in this area know a lot about
22 nuclear power. They know a lot about the nuclear
23 industry and so as a consequence, we've got two great
24 nuclear projects here and so we thought this was
25 something we ought to pursue, we did it, and we don't

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1 believe we took this lightly.

2 The members of the Eddy-Lea Alliance went
3 out to manufacturing sites, they went out to see
4 storage facilities, they talked to different
5 companies. And we ended up putting out an RP, so
6 you're blaming Holtec -- you need me to wrap up?

7 MR. CAMERON: Yes, thank you.

8 MR. HEATON: You're blaming Holtec for
9 some reason for wanting to make money. We put out an
10 RP that Holtec wanted.

11 And so that's a natural thing that goes on
12 in business and we were pleased because they have the
13 best system in the world bar none.

14 I've heard a lot of transportation talk
15 tonight and I'll tell you that the Holtec
16 transportation cask, that two liters is five times
17 less than the NRC standards for a cask.

18 And it is virtually indestructible. It
19 has 15 inches of steel and lead that surround the
20 canister. It is about as robust as you could ever
21 imagine and it has impact limiters on both ends so it
22 becomes off the rail car for whatever reason.

23 I can assure you there's not going to be
24 radiation leaks --

25 MR. CAMERON: John, thank you.

1 MR. HEATON: -- nowhere for it to happen.

2 MR. CAMERON: Thank you so much.

3 MR. HEATON: Anyway, I appreciate the
4 ability to make a little bit of response. I'd like to
5 go down the whole list. Thank you very much.

6 MR. CAMERON: Thank you very much. Thank
7 you, John. And we have four speakers left for tonight
8 and we were so glad to have the good fortune to hear
9 from them yesterday too.

10 And I'm asking them to be a little bit
11 crisp so that maybe we'll close out by 11:00 p.m. Oh,
12 I'm calling your name now. No, serious, Susybelle,
13 come on up.

14 And then we're going to go to Charlene and
15 Gail Seydel, and Melanie. Okay, thanks, Gail.

16 So, we're going to Susybelle now, then
17 Charlene, and then Ms. Deason.

18 MS. GOSLEE: I'm Susybelle Goslee and I
19 have been asked by Dallas County Commissioners to read
20 the resolution. It was passed on April 4th, 2017.

21 Be it remembered at a regular meeting of
22 the Commissioner's Court of Dallas County, Texas, held
23 on the fourth day of April, 2017, on a motion made by
24 Dr. Theresa M. Daniel, Commissioner of District 1,
25 and seconded by Clay Lewis Jenkins, Dallas County

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1 Judge.

2 The following resolution was adopted.

3 Whereas, Dallas County is committed to
4 protecting the health, welfare, safety and security of
5 its residents through services of the Departments of
6 Health and Human Services, the emergency preparedness
7 training, and exercises provided through the Office of
8 Homeland Security and Emergency Management and the
9 Parkland health and hospital system efforts.

10 And whereas waste control specialists have
11 applied to the Nuclear Regulatory Commission for a
12 license to store up to 40,000 tons of spent nuclear
13 reactor fuel, the nation's most dangerous nuclear
14 reactor waste, at their facility in Anders County in
15 Western Texas.

16 That waste could soon be shipped by rail
17 or interstate roadway through the Dallas Fort Worth
18 region.

19 And whereas transportation routes can be
20 predicted but won't be approved by the U.S. Department
21 of Transportation and the Nuclear Regulatory
22 Commission until after licensing would be completed.

23 Therefore, this spent nuclear reactor fuel
24 should remain secured at or near the site of
25 generation and should be transported only once when a

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1 scientifically viable, permanent disposal site becomes
2 available.

3 And whereas during the transport, if an
4 accident should occur with this spent nuclear reactor
5 fuel released only a small amount of radioactivity, it
6 could contaminate a 42-square-mile area.

7 A Department of Energy study found that
8 cleanup could cost 620 million dollars in a rural area
9 and 9.5 billion in the most heavily contaminated
10 square mile of an urban area.

11 And whereas, additionally, exposure to
12 dangerous levels of radioactivity is known to lead to
13 birth defects, genetic damage and cancers. Unshielded
14 exposure to high-level radioactive waste could give a
15 lethal dose.

16 And whereas, our lives, land, and aquifers
17 must be protected from radioactive contamination,
18 which could result from accidents, radiation releases
19 or leaks, or terrorist actions during the thousands of
20 spent nuclear reactor fuel waste shipments that could
21 occur for a period of 24 years if consolidated storage
22 is licensed.

23 Now, therefore, they have resolved that
24 the Dallas County Commissioner's Court does not
25 support the transportation of high-level radioactive

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1 waste, including WCS's spent nuclear reactor fuel on
2 our highways or highways through Dallas County,
3 meaning rail lines as well, for the purpose of
4 consolidated storage or permanent disposal of
5 high-level waste in Texas.

6 At the time this resolution was written,
7 the thought was that it would be only on highways.
8 This was done in open court the 4th day of April,
9 2017.

10 It was signed by Clay Lewis Jenkins,
11 County Judge; Dr. Theresa M. Daniel, District 1; Mike
12 Cantrell, District 2; John Wiley Price, District 3;
13 and Dr. Elba Garcia, District 4.

14 Thank you.

15 MR. CAMERON: Thank you. Do you want to
16 submit that to them? Okay, thank you, thank you,
17 Susybelle.

18 And, Charlene, do you want to come up?
19 And then we're going to close out with Melanie Deason.
20 And this is Charlene Hernandez.

21 MS. HERNANDEZ: Good evening, everybody.

22 (Foreign language spoken.)

23 This is an opportunity for everybody to
24 reply to this situation, and I totally agree with the
25 scientists.

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1 A lot of things have been said already in
2 this place that I don't need to repeat and I also
3 agree that a lot of people are against this thing and
4 probably through a lot of ignorance.

5 I was born in Capitan, New Mexico. During
6 1945, my mom was pregnant with me and they blew the
7 atomic bomb and nobody told us, nobody informed us
8 they were going to do that, they just did it.

9 They also said that there was going to be
10 no high-level nuclear waste in this situation here,
11 but that isn't true. WIP is supposed to not be
12 high-level nuclear waste but it is.

13 Three times they have lied. This is the
14 fourth time and we have to do something about this.
15 We can't just sit back and let it happen like a lot of
16 other things that have happened and we could have
17 fixed it before it happened.

18 When I first got here in 2007, I moved to
19 California years back, but when I came back here to my
20 first job, some doctors in Las Cruces University were
21 wondering why there was such a high-level of babies
22 being born with neural tube defects in New Mexico.

23 So, they set up a program and us nurses
24 went out and did home visitation and health education
25 to a bunch of people and maybe we lowered the

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1 incidents, I don't know. But that made me think about
2 that also.

3 Why? Why do we have this kind of
4 situation in this state? And I was shocked when I
5 read in the newspaper about this nuclear waste
6 facility here in New Mexico.

7 When I first moved here, I was not happy
8 about it, I really was upset. I had the same idea,
9 like these other ladies that showed, wow, why does New
10 Mexico have to become the nuclear wasteland here?

11 Okay, that's all I have to say. Thank you
12 all for being here, I appreciate your time, and thank
13 you for being here. Please do a thorough job.
14 Goodbye.

15 MR. CAMERON: Melanie?

16 MS. DEASON: I want to thank the NRC and
17 the public for being here at this late, late hour. My
18 name is Melanie Deason, I've lived in Roswell for the
19 past ten years.

20 In my late '20s, I worked for the U.S.
21 Army in New Mexico as a radiation safety technician,
22 monitoring the transport of radioactive isotopes and
23 cleaning up radiation accidents, including a military
24 nuclear reactor site.

25 I was also trained as a first responder.

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1 I was a civilian working for the military, doing a job
2 that women in the military were not yet allowed to do.
3 We were just letting women in in a way that was a
4 little bit more complicated than just support.

5 I was trained at the U.S. Army Chemical
6 School in Anniston, Alabama, just like any soldier.

7 But in spite of best intentions by our
8 instructors, that side of Fort McClellan was
9 designated a super fund site by the late 1990s. It's
10 costing billions of dollars in stolen cleanup, if
11 cleanup is even possible.

12 Nobody deserves to be put in harm's way,
13 especially people who have no clue that something
14 invisible to the five senses may be contaminating the
15 water, air, and soils, and slowly or quickly, killing
16 them and generations beyond.

17 High-level nuclear waste is not a joking
18 matter, like those posters in the 1980s that said --
19 and forgive my language -- just bend over and kiss
20 your ass goodbye. You might remember those.

21 Fast-forward to 2001, shortly before I
22 retired, I spent eight years as Wetlands Coordinator
23 with the New Mexico Environment Department in Santa Fe
24 and with the states' federally-funded wetlands
25 conservation plan.

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1 I raise the question of the science of
2 Holtec's environmental assessment in their section on
3 water resources. It puts Texas and New Mexico
4 populations at risk irreversibly.

5 Roswell's recorded comments were part one,
6 what I'm going to say now is part two.

7 Holtec uses a federal jurisdictional
8 wetlands definition and fails to mention that in 1996,
9 the New Mexico Energy and Minerals Department missed
10 the five types of wetlands which, in '97, the NME also
11 adopted to meet the states' definition of wetlands.

12 They are number one playa lakes which
13 drain to aquifers that are below ground. Two, seeps
14 and springs. Three, wet meadows, marshes, and bogs.
15 Four, lakes and ponds.

16 And my point of discussion tonight briefly
17 is five, rivers and streams with their banks in
18 riverside forests.

19 Down the middle of the state, the Rio
20 Grande is home to the largest cottonwood forest in the
21 United States, possibly the world. It's commonly
22 called by a Spanish name, Bosque. I'll spell that for
23 the recorder, B-O-S-Q-U-E.

24 Under Holtec's proposal for the
25 transportation corridor includes south railway roots

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1 to El Paso, Texas, also, east-west through
2 Albuquerque, New Mexico, for this most dangerous of
3 this nuclear waste.

4 Are you aware that the same transportation
5 corridor follows the same route of a tri-state water
6 compact of river flow from Colorado to New Mexico,
7 Texas, and Mexico? It's called the Rio Grande compact.

8 As one of New Mexico's legally-binding
9 water compacts that affect state, federal, and
10 international law, the Rio Grande compact is
11 important.

12 Because two months ago on March 5th, 2018,
13 New Mexico and Colorado lost a U.S. Supreme Court
14 decision unanimously 9-0. I think we have a record
15 for our Supreme Court right now.

16 It affects the water delivery to Texas and
17 Mexico. There were four important case law points
18 which I'll not mention today but basically, New Mexico
19 and Colorado were cheating on their deliveries to
20 Texas and Mexico.

21 The SCOTUS case citing is Texas, New
22 Mexico, and Colorado, there's a SCOTUS blog, holding
23 the United States may pursue its complaint in
24 intervention asserting a claim that New Mexico has
25 violated the Rio Grande compact.

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1 This segues into a second compact in New
2 Mexico, mentioned last night, the 1938 Pecos River
3 compact with Texas and the more recent 2009 settlement
4 which was another case of New Mexico cheating on water
5 delivery.

6 This Pecos River compact requires sharing
7 the river's irrigation waters with Texas equally as
8 beneficial use of any unappropriated flood waters.

9 MR. CAMERON: And Melanie, could you --

10 MS. DEASON: I am, I'm right there, sir.

11 MR. CAMERON: Thank you very much.

12 MS. DEASON: The best for last they say.

13 Holtec's report states that the region's unique playa
14 lake hydrology, ensures important seasonal rains from
15 April to September are capture.

16 Because Holtec acknowledges impoundment of
17 all surface water into playas, they admit their site's
18 water will reach the water table, 35 to 50 feet below,
19 including aquifers and the Pecos River on its way to
20 Texas.

21 These are scientific pathways which
22 radioactive contamination can spread. Therefore, I
23 recommend the NRC deny Holtec's permit.

24 High-level nuclear waste needs to stay
25 where it's spent with appropriate technology which, if

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1 Holtec is what they say they are, it exists on-site.
2 Why?

3 It would not be beneficial news to
4 contaminate our waters of the U.S. with radiation and
5 irreversibly alter the food chain for the plants,
6 animals, and humans in the many states, including New
7 Mexico, who are dependent upon those aquifers and
8 other water resources.

9 I'd like to close with: it wouldn't be
10 wise to mess with the Supreme Court either, they are
11 united on compact delivery. Finally, Holtec's CIS
12 proposal can be summed up in one word, genocide. I
13 know I, Melanie Deason, do not consent.

14 MR. CAMERON: Okay, thank you.

15 All right, thank you all for your comments
16 tonight and I'm going to turn it over to the Senior
17 NRC manager, Brian Smith, to close it off for us.
18 Bryan?

19 MR. SMITH: I want to thank everyone
20 again for coming out tonight and providing a lot of
21 great comments for us consider and evaluate as we
22 develop our draft environmental impact statement.

23 That draft DIS will be published for
24 public comment so I would encourage you to review that
25 document as it's released and provide us public

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1 comments.

2 Again, at that time, we will be back out
3 again to seek that feedback at that time. So, thank
4 you again for coming out tonight and have a good the
5 rest of your evening.

6 (Whereupon, the above-entitled matter went
7 off the record at 10:56 p.m.)

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